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**West Virginia. Laws, statutes, etc.
Acts of the legislature.**

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ACTS
OF THE
LEGISLATURE
OF
WEST VIRGINIA,
AT ITS
TWELFTH SESSION,
COMMENCING JANUARY 13, 1875.



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ACTS OF 1875.

CHAPTER I.

AN ACT to amend and re-enact section twenty-five of chapter thirty of the Code of West Virginia.

Approved, January 21, 1875.

Be it enacted by the Legislature of West Virginia :

1. That section twenty-five of chapter thirty of the Code of West Virginia, be amended and re-enacted so as to read as follows: Code amended.

“25. The taxes assessed under the twenty-ninth chapter, and collected under this chapter, shall be paid into the treasury as follows, three-fourths of such taxes shall be paid on or before the twentieth day of January in the year next after the said taxes shall have been assessed, and the remaining fourth on or before the first day of May in such year; save only as follows: A sheriff or collector who may not have qualified, or who may not have received the books of the assessor before the first day of October, or who shall be prevented by legal process, from collecting said taxes, shall be allowed When sheriff to pay taxes into the treasury. five months from his qualification, or the delivery of said books to such sheriff or collector, or from the removal of such legal restraint, to pay into the treasury the whole amount with which he is chargeable.” When allowed five months additional time.

2. This act shall be in force from and after its passage. Commencement

CHAPTER II.

AN ACT changing the time for holding the county courts for the county of Pendleton.

Approved, February 10, 1875.

Be it enacted by the Legislature of West Virginia :

County courts
of Pendleton
county. When
held.

1. That hereafter the county courts for the county of Pendleton shall be held on the second Monday in March, May, August and November, and on the first Monday in June and December.

Commencement

2. This act shall be in force from and after its passage.

CHAPTER III.

AN ACT appropriating money to pay teachers in the normal schools for the fiscal years ending September 30, 1873, and September 30, 1874, and to pay balance, of salary and expenses of the secretary of the board of regents for the fiscal year ending September 30, 1874.

Approved, February 10, 1875.

Be it enacted by the Legislature of West Virginia :

Auditor author-
ized to pay ar-
rears of teach-
er's salaries.

That the auditor be and he is hereby authorized to pay on the order of the board of regents of the normal schools, for arrears of salary for the fiscal year ending September 30, 1873, to teachers in the Fairmont Normal School, nine hundred and twenty-three dollars; and to teachers in the West Liberty Normal School, seven hundred dollars; and for arrears of salary for the fiscal year ending September 30, 1874, to teachers in the Fairmont Normal School, two thousand and seven hundred and fifty-five dollars; to teachers in the West Liberty Normal School, two thousand and seventy-five dollars and seven cents; to the teachers in Marshall College,

two thousand four hundred and eighty-nine dollars and fifty cents; to the teachers in the Glenville Normal School, one thousand seven hundred and sixty-eight dollars; to the Shepherdstown Normal School, two thousand four hundred and forty-eight dollars and sixty-nine cents, and for balance of expenses and salary of secretary of said board, one hundred and seventy-five dollars, which said sums are hereby appropriated out of any money in the treasury not otherwise appropriated. And balance of salary to secretary of board of regents.

2. This act shall be in force from its passage, two-thirds of the members elected to each house, by a vote taken by yeas and nays having so directed. Commencement

CHAPTER IV.

AN ACT to remove the seat of government temporarily to Wheeling.

Passed, February 20, 1875.

WHEREAS, Henry K. List, Michael Reilly, John McLure, Geo. W. Franzheim and Simon Horkheimer, citizens of Wheeling, have agreed to furnish the State, without cost thereto, suitable accommodations, in said city for the legislative, executive and judicial departments of the State, including the state library should the seat of government of the State be removed temporarily to said city : and Preamble.

WHEREAS, It appears to the legislature that the capital of the State should be located at a more accessible and convenient point; therefore,

Be it enacted by the Legislature of West Virginia :

1. That on and after the expiration of ninety-days from and after the passage of this act, until hereafter otherwise provided by law, the seat of government of the State of West Virginia shall be at the City of Wheeling. Seat of government located at the city of Wheeling; when.

Governor to cause to be prepared suitable accommodations.

Removal of books, papers, &c., pertaining to State offices.

State to be indemnified against the expenses incurred.

Conflicting acts repealed.

The governor is hereby authorized to cause suitable accommodations to be prepared in the city of Wheeling for the several departments of the state government, including the legislative, executive and judicial departments, and to remove thereto, and cause to be properly placed and arranged the books, papers and moveable property, now in the city of Charleston, belonging to the several state offices, including the state library. The said Henry K. List, Michael Reilly, John McLure, Geo. W. Franzheim and Simon Horkheimer agreeing to indemnify the State against the expenses thereby incurred.

2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

A. MONROE

Speaker of the House of Delegates.

D. D. JOHNSON

President of the Senate.

[Note by the Secretary of State.]

OFFICE OF SECRETARY OF STATE, }
February 20, 1875. }

The foregoing act having been presented to the governor for his approval, and not having been returned by him to the house of the legislature in which it originated within the time prescribed by the constitution of the State, has become a law without his approval.

CHAPTER V.

AN ACT to amend and re-enact section two of chapter forty-seven of the Code of West Virginia, concerning towns and villages.

Approved, February 22, 1875.

Be it enacted by the Legislature of West Virginia :

1. That section two of chapter forty-seven of the Code amended. Code of West Virginia, be amended and re-enacted so as to read as follows :

"2. Any part of any district or districts not included in any incorporated town, village or city, and containing a resident population of not less than one hundred persons, may be incorporated as a town or village, under the provisions of this act.

What population necessary to authorize proceedings for certificate of incorporation.

CHAPTER VI.

AN ACT to transfer to the counties of Randolph, Barbour and Taylor the rights of the State in the Fairmont and Beverly Turnpike Road, and for other purposes.

Approved, February 24, 1875.

Be it enacted by the Legislature of West Virginia :

1. The interest of the State in the Fairmont and Beverly turnpike road and bridges, from Webster in Taylor county, through the county of Barbour to Beverly in Randolph county, is hereby transferred to the several counties in which the same or a part thereof may be situated, and the county courts of the said counties of Taylor, Barbour and Randolph, are hereby vested with all the rights, powers and duties heretofore vested in, and belonging to the State as a stockholder in said road and bridges, among which shall be the power to establish gates, and collect lawful tolls, and to do and transact all other business in relation to repairing said road or bridges as the said county courts may from time to time deem proper and right.

Interest of State in the Fairmont and Beverly turnpike and bridges, in certain counties, transferred to the counties in which same may be situated.

Powers and rights belonging to State as stockholder vested in county courts of.

2. All acts and parts of acts inconsistent with this act are hereby repealed.

Inconsistent acts repealed.

3. This act shall be in force from its passage.

Commencement

CHAPTER VII.

AN ACT making appropriations of public money to pay members and officers of the legislature, and for salaries of the officers of the government, in pursuance of the forty-second section of the sixth article of the Constitution.

Approved, February 24, 1875.

Be it enacted by the Legislature of West Virginia :

Fund to pay members and officers of the Legislature and salaries of officers of government.

1. That so much of the public taxes and arrears of taxes and all other sources of revenue, which may have been received into the public treasury since the first day of October, 1874, and which may be received therein prior to the first day of October, 1876, which may be necessary for the pay of members and officers of the legislature, and for salaries for the officers of the government, shall constitute a fund, according to the forty-second section of article six of the constitution, and no money belonging to any fund shall be taken for any other purpose than that for which it has been or may be appropriated or provided, and to that end there shall be and is hereby appropriated out of the fund from taxation and other sources of revenue, a sum sufficient to pay the following charges, payable out of the treasury during the fiscal years ending with the thirtieth day of September, 1875, and the thirtieth day of September, 1876, as follows :

Fiscal year.

First. For the fiscal year ending the thirtieth day of September, 1875.

LEGISLATIVE DEPARTMENT.

Senate.

Mileage of senators.

To pay mileage allowed to the members of the senate for the session commencing on the thirteenth day of January, 1875, one thousand three hundred and eighty-eight dollars and ninety cents.

Per diem of senators.

To pay per diem compensation of the twenty-four members of the senate, from the thirteenth day of Jan-

uary, to the twenty-sixth day of February, 1875, four hundred four hundred and ten dollars.

To pay the per diem compensation to the officers, clerks of committees, pages, and their mileage, where mileage is allowed, to-wit: per diem, that is to say, to the clerk of the senate five hundred and fifty dollars; to his assistant two hundred and seventy dollars; to pay three committee clerks, one hundred and eighty dollars each, five hundred and forty dollars; pages four hundred and five dollars; to pay sergeant-at-arms and doorkeeper four hundred and five dollars; mileage two hundred and forty-six dollars and forty cents.

Per diem and mileage of officers, &c., of senate.

House of Delegates.

To pay mileage of the sixty-five members of the House of Delegates for the session of the legislature commencing on the thirteenth day of January, 1875, three thousand eight hundred and forty-six dollars and thirty cents.

Mileage of delegates.

To pay per diem compensation of the members of the House of Delegates for the session commencing on the thirteenth day of January, 1875, to the twenty-sixth of February, 1875, eleven thousand seven hundred dollars.

Per diem of delegates.

To pay the per diem compensation of the officers, clerks of committees, pages, and their mileage, where mileage is allowed, to-wit: per diem, that is to say; to the clerk of the house of delegates five hundred and fifty dollars; to four assistant clerks, two hundred and seventy dollars each, one thousand and eighty dollars; to pay four committee clerks, one hundred and eighty dollars each, seven hundred and twenty dollars; sergeant-at-arms and doorkeeper four hundred and five dollars; mileage, five hundred and forty dollars; to pay for pages, five hundred and forty dollars.

Per diem and mileage of officers, &c., of house of delegates.

EXECUTIVE DEPARTMENT.

Governor.

To pay the salary of the governor, two thousand seven hundred dollars.

Salary of governor.

*Secretary of State.*Secretary of
state.

To pay the salary of the secretary of state, one thousand dollars.

Auditor.

Auditor.

To pay the salary of the auditor, two thousand dollars.

Treasurer.

Treasurer.

To pay the salary of the treasurer, one thousand four hundred dollars.

*State Superintendent of Free Schools.*State superintendent of free
schools.

To pay the salary of the state superintendent of free schools, to be paid out of the general school fund, one thousand five hundred dollars.

Librarian.

Librarian.

To pay the salary of the librarian, seven hundred and fifty dollars.

*Keeper of the Rolls.*Keeper of the
rolls.

To pay the salary of the keeper of the rolls, three hundred dollars.

Janitor.

Janitor.

To pay the salary of the janitor, one thousand dollars.

To pay extra compensation allowed by law during the session of the legislature, at three dollars per diem, one hundred and thirty-five dollars.

To pay Hugh Daly for assisting the janitor, one hundred dollars.

JUDICIAL DEPARTMENT.

Judges supreme
court of appeals.

To pay the salaries of the four judges of the supreme court of appeals, nine thousand dollars.

To pay the salary of the clerk of the supreme court Clerk.
of appeals, one thousand dollars.

To pay the salaries of the judges of the several cir- Circuit judges.
cuit courts, eighteen thousand dollars.

To pay salary of the attorney-general, ex officio re- Attorney gen-
porter of the court of appeals, one thousand three hun-
dred dollars.

Second. For the fiscal year ending the thirtieth day Fiscal year,
of September, 1876. ending Septem-
ber 1876.

EXECUTIVE DEPARTMENT.

To pay the salary of the governor, two thousand Salary of
seven hundred dollars. governor.

Secretary of State.

To pay the salary of the secretary of state, one thous- Secretary of
and dollars. state.

Auditor.

To pay the salary of the auditor, two thousand dol- Auditor.
lars.

Treasurer.

To pay the salary of the treasurer, one thousand four Treasurer.
hundred dollars.

State Superintendent of Free Schools.

To pay the salary of the state superintendent of free State superin-
schools, to be paid out of the general school fund, one tendent free
thousand five hundred dollars. schools.

Attorney General.

To pay the salary of the attorney general, and ex Attorney gen-
officio reporter of the court of appeals, one thousand eral.
and three hundred dollars.

Librarian.

Librarian. To pay the salary of the librarian, seven hundred and fifty dollars.

Keeper of the Rolls.

Keeper of the Rolls. To pay the salary of the keeper of the rolls, three hundred dollars.

Janitor.

Janitor. To pay the salary of the janitor, one thousand dollars.

JUDICIAL DEPARTMENT.

Judges supreme court. To pay the salaries of the judges of the court of appeals, nine thousand dollars.

Clerk. To pay the salary of the clerk of the court of appeals, one thousand dollars.

Circuit judges. To pay the salaries of the nine judges of the circuit courts, eighteen thousand dollars.

Be it further enacted, that all moneys hereby appropriated, to be used within said fiscal years, and not drawn within the period of said fiscal years, ending respectively on the thirtieth day of September, 1875, and the thirtieth day of September, 1876, shall not be thereafter drawn without authority of law; unless the same is authorized by the constitution, or by some general law not provided for in this act; but, to pay the same, and every part thereof, the auditor is hereby authorized and required, when properly demanded, to issue his warrant on the treasury in the same manner he would be required to if each item of expenditure was directed to be paid to a creditor by name; and no money shall be drawn from the treasury beyond the appropriations hereby made.

Money not drawn within fiscal years, shall not thereafter be drawn without authority of law, &c.

Auditor authorized to pay.

No money beyond the appropriation to be drawn.

[NOTE BY CLERK OF THE HOUSE OF DELEGATES.—The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.]

CHAPTER VIII.

AN ACT to amend and re-enact section three of chapter two hundred and thirty-three of the Acts of 1872-3.

Approved, February 24, 1875.

Be it enacted by the Legislature of West Virginia :

1. That section three of chapter two hundred and thirty-three of the Acts of 1872-3, be amended and re-enacted, so as to read as follows : Acts of 1872-3 amended.

The state taxes on the licenses hereby authorized, shall be as follows : Peddlers of sewing machines and pleasure carriages shall be required to pay a license tax of one hundred dollars. If the peddler transport his goods, wares or merchandise in a vehicle of any description, the tax shall be twenty-five dollars in every county in which he sells or offers to sell, and no abatement therefrom shall be allowed if the goods and chattels proposed to be sold belong to a merchant, and he be the peddler. Rates of state taxes to be charged. If the goods and chattels be transported in any other way than in a vehicle, the tax shall be ten dollars.

CHAPTER IX.

AN ACT to authorize the transfer of causes from courts of limited jurisdiction, heretofore or hereafter established in incorporated towns and cities, to the circuit court of the county.

Approved, February 25, 1875.

Be it enacted by the Legislature of West Virginia :

1. If a judge of any court of limited jurisdiction, established in any town or city in this state, cannot properly preside at the hearing or trial of any cause pending therein, on motion of any party thereto, the cause shall be certified to, and the original papers, with a copy When and how causes from courts of limited jurisdiction may be transferred to the circuit court.

of the orders of the court, shall be filed in the circuit court of the county, and the cause shall be docketed therein and proceeded with as though the cause had been originally brought and the prior proceedings had in the circuit court to which it was transferred.

Commencement 2. This act shall be in force from its passage.

CHAPTER X.

AN ACT for the payment of J. W. McWhorter for services as commissioner of the revenue of Berkeley county in the year 1861.

Approved, February 25, 1875.

Be it enacted by the Legislature of West Virginia:

1. That the sum of six hundred and eleven dollars and one cent is hereby appropriated out of any money in the treasury not otherwise appropriated, for the payment in full, of J. W. McWhorter, for his services as commissioner of the revenue for the county of Berkeley for the year 1861.

2. The auditor is hereby directed to draw his warrant on the treasurer for the amount hereby appropriated, or so much thereof as he may find unpaid.

CHAPTER XI.

AN ACT prescribing the times of holding the county courts in the county of Wetzel.

Approved, February 25, 1875.

Be it enacted by the Legislature of West Virginia:

That chapter one hundred and sixty-eight of the Acts of 1872-3, be and the same is hereby amended and re-enacted so as to read as follows:

"1. That the county court of Wetzel county be here-
after held on the second Tuesday in February, June, August, and December and on the third Tuesday of April and October in each year."

County court of
Wetzel county;
times for hold-
ing same.

2, This act shall be in force from its passage.

Commencement

CHAPTER XII.

AN ACT to amend and re-enact sections ten and eleven of chapter two hundred and twenty-eight of the Acts of 1872-3, concerning the recovery of fines.

Approved, February 25, 1875.

Be it enacted by the Legislature of West Virginia :

1. That sections ten and eleven of chapter two hundred and twenty eight of the Acts of 1872-3, be amended and re-enacted so as to read as follows :

Acts of 1872-3
amended.

"10. On a judgment for a fine rendered by a circuit or county court, the court may order a writ of *capias pro fine* to be issued at any time during the term such judgment was rendered. If such writ be not, or has not, from any cause been so ordered, it may be issued by the clerk upon the order of the prosecuting attorney at any time after the adjournment of the court; and if the judgment be for a fine with imprisonment, or for a fine without imprisonment, the court may at any time during the said term, order that the defendant against whom said judgment was rendered, be confined in jail until the fine and costs are paid, in addition to the term of imprisonment fixed by the judgment: Provided, such additional confinement shall not be a longer period than sixty days."

Capias pro fine
may issue on
judgment for
fines, &c.

Court may order
party to be im-
prisoned till fine
and costs are
paid,

"11. Whenever a person is in jail under a *capias pro fine*, or for the mere non payment of the fine and costs for which he is liable as aforesaid, the court, or judge thereof, in vacation, may order him to be released without the payment of the fine and costs, if it appear proper to do so; but the prosecuting attorney must first have

How person in
jail on *capias pro fine* released
therefrom; fieri
facias may in
all cases be is-
sued on judg-
ment for fines,

notice of such application; and notwithstanding anything contained in this or the preceding section a writ of fieri facias may be issued upon any judgment for a fine in the form and with the effect prescribed by the fifth and subsequent sections of chapter thirty-five.

CHAPTER XIII.

AN ACT amending and re-enacting section seventeen of chapter two hundred and fifteen of the Acts of 1872-3.

Approved, February 25, 1875.

Be it enacted by the Legislature of West Virginia:

Acts of 1872-3
amended.

1. That section seventeen of chapter two hundred and fifteen of the Acts of 1872-3, be amended and re-enacted so as to read as follows:

Directors of in-
corporated
banks first elec-
ted; their term
of office.

"17. The directors first elected shall hold their office until the second Monday in January next after their election, and until their successors are elected and qualified.

Subsequent elec-
tions, when
held.

All subsequent elections shall be held annually on the second Monday in January, and the directors so elected

Term of office,
Vacancies; how
filled.

shall hold their office for one year and until their successors are elected and qualified. Any vacancy in the board of directors shall be filled by appointment by the

If directors be
not elected at
time appointed,
an election may
be held on any
subsequent day.

remaining directors. If from any cause an election of directors shall not be made at the time appointed, an election may be held on any subsequent day, thirty days

Notice in such
cases.

notice being given in a newspaper published in the county where the bank is located, or if none be so published, in the nearest one to the bank, published in any other

President; how
elected.

county; one of the directors shall, by a vote of the directors, be elected president of said bank."

CHAPTER XIV.

AN ACT appropriating money to pay Wm. L. McNeal for removing Lemuel Cobb, a lunatic, from Pocahontas county to Morris county, New Jersey.

Approved, February 25, 1875,

Be it enacted by the Legislature of West Virginia :

1. That the sum of two hundred and five dollars and sixty cents is hereby appropriated out of any money in the treasury not otherwise appropriated, to pay Wm. L. McNeal, sheriff of Pocahontas county, for removing Lemuel Cobb, a lunatic, from the jail of Pocahontas county to Morris county, New Jersey, where said lunatic belonged.

Appropriation to pay Wm. L. McNeal for removing a lunatic to the state of New Jersey.

2. The Auditor is hereby authorized to draw his warrant upon the treasury, in favor of the said Wm. L. McNeal, for the money appropriated in the preceding section, said amount being in full of all claim said McNeal may have against the State on account of said Lemuel Cobb.

Auditor authorized to draw his warrant for amount.

CHAPTER XV.

AN ACT to create a county court and a board of commissioners for the county of Wood, under the thirty-fourth section of eighth article of the Constitution.

Approved, April 25, 1875.

Be it enacted by the Legislature of West Virginia :

1. A county court to be held by a judge, for whose election, qualification, term of office and compensation, provision is hereinafter made, shall be created in the county of Wood.

County court, held by a judge, created for the county of Wood.

2. The county court for the said county, shall have original jurisdiction in all actions at law where the amount in controversy exceeds the sum of twenty dol-

Original jurisdiction of court.

lars, and in all cases of habeas corpus, quo warranto, mandamus, prohibition, certiorari; in all suits in equity, except cases for divorce; and in all matters of probate, the appointment and qualification of personal representatives, guardians, committees and curators, and the settlement of their accounts, and in all matters relating to apprentices; and of all criminal cases under the grade of felony. It shall have the custody through its clerk, of all wills, deeds and other papers offered for probate or record in said county, which shall be preserved or disposed of as required by law. And said county court shall exercise such other jurisdiction as may be conferred by law.

To have custody of all wills, deeds, &c.

Jurisdiction in appeals from judgments of justices.

Judgment in such cases final; exception.

3. The said court shall have jurisdiction of all appeals from the judgments of the justices of the peace, and its judgment thereon shall be final in all cases, except where the title, right of possession, or boundaries of land; or the freedom of person; or the validity of a law; or an ordinance of any corporation or the right of a corporation to levy tolls or taxes, is involved.

Terms of court.

4. There shall be four regular terms of said county court in each year, held quarterly, for the trial of causes by jury, and matters of general jurisdiction. The quarterly terms shall commence on the first Monday in March, May, September and November, and to one of these terms a grand jury shall be summoned to attend as provided by law, in relation to circuit courts of said county. The grand jury term of said court shall be fixed by the court thereof. And the judge of said county court, sitting as judge of the municipal court of Parkersburg, shall have and exercise such powers and authority as may be provided by law. Petit jurors shall be summoned to attend said terms of said court as provided by law.

Grand jury; when summoned to attend.

Petit jurors; when summoned.

Rules; when held.

5. Rules shall be held in the clerk's office, of said county court, as are now provided by law, in relation to the circuit courts of this State.

Election of judge; when. Notice to be given.

6. The qualified voters of Wood county, on the first Monday in June, 1875. (of which not less than twenty days notice shall be given,) and on the second Tuesday

in October, 1876, and on the second Tuesday of October in every fourth year thereafter, shall elect a judge for the said county court of Wood county, who shall be commissioned by the governor, who shall hold his office until his successor is elected and qualified pursuant to this section. His term of office shall be four years, and he shall receive a salary of fifteen hundred dollars per annum, payable out of the county treasury, in quarterly installments. He shall not during his term of office, practice the profession of law, or counsel or advise in legal matters, or hold any other office, appointment, or public trust, under the authority of this State, or any other government; during his continuance in office as judge of said court, he shall not be eligible to any political office. He may be removed from office when from any disease, or mental or bodily infirmity, he shall be incapable of discharging the duties of the office, by a concurrent vote of both houses of the legislature, in manner provided by the eighteenth section of the eighth article of the constitution of this State. He shall also be subject to impeachment for the causes and in the manner prescribed in the ninth section of the fourth article of the said constitution, and upon conviction shall be subject to the judgment as therein prescribed.

Judge commissioned by governor.
Term of office.
Salary of judge.
When and how paid.

Not to practice law &c., during term of office, nor hold any other appointment &c.

Removal from office—for what causes.

How.

May be impeached; how.

7. When a vacancy shall occur in said office, if not more than one year remain of the term thereof, it shall be filled by the commissioners of the said county, hereinafter established, by appointment of some qualified person learned in the law: but if more than one year of said term shall remain, then said appointment shall be made until the next general election, when the qualified voters of said county shall elect a competent person to fill said vacancy.

Vacancies; how filled.

8. At the election to be held on the first Monday in June 1875, as provided in the sixth section of this act, the qualified voters of said county shall elect five commissioners, to be chosen for their experience and prudence, who at the time of their election shall have resided two years, at least, in the said county. Not more

Commissioners; how and when elected.

Qualifications of.

Only one to be elected from same district. than one commissioner shall be elected from the same district of said county, and the office of justice of the peace shall not be deemed incompatible with the office of commissioner of said county.

To be known as "The Board of Commissioners of Wood county."

Their powers;

Meetings of board; when and where.

President of board.

Clerk of Board; who to be.

His duties.

His compensation.

How paid.

Jurisdiction and duties of board.

Writs of ad quod damnum.

Contested elections.

Compensation.

Vacancies in board; how filled.

Their term of office; when to commence.

9. The commissioners so elected shall be known as "The Board of Commissioners of Wood county:" by which name they may sue and be sued, and have and use a common seal. They shall meet statedly on the first Monday in the months of January, April, August and October, at the court house of said county, in each year; and may hold adjourned and special meetings, for the transaction of public business. They shall elect one of their number president, and the clerk of the county court shall be clerk of the said court, who shall keep a journal of their proceedings and orders, and perform such other duties as may be required by law, or by the said board; and whose compensation shall be fixed by the said board and paid out of the county treasury.

10. The said board shall have the superintendence and administration of the police and fiscal matters and affairs of the said county, including the establishment and regulation of roads, ways, bridges, public landings, ferries and mills; and authority to lay and disburse the county levies. All writs of ad quod damnum shall issue from the county court.

The said board shall, in all contested elections, judge of the election, qualification and returns of its own members and of all county and district officers.

It shall have such other jurisdiction and perform such other duties as may be prescribed by law.

Each of said commissioners shall receive three dollars per day for their services; but in no event shall they receive compensation for more than thirty days in any year.

The said board shall have power to fill any vacancy that may occur in the board.

The term of office of each of said commissioners shall be two years: and shall commence on the first day of January, 1876, and on the same day every two years there-

after, except that the commissioners who shall be first elected under this act, shall enter upon the duties of their office within twenty days after they shall be declared elected, as hereinafter provided.

11. The county court of Wood county, now organized, shall order an election for the officers hereinbefore provided, of which election the said county court shall give at least twenty days public notice of the time of holding the same, and of the offices to be filled at said election; and shall appoint three commissioners for each voting place in said county to conduct said election. All the qualified voters of said county shall have the right to vote at such election. The said election shall be held according to the laws in force at the time the election takes place, and the result shall be certified as follows, that is to say: the number of the votes cast at said election for the judge of the county court and the commissioners aforesaid, shall be certified to the clerk of the circuit court of Wood county, who shall declare the result of the election, and issue certificates to the persons having the highest number of votes for commissioners as aforesaid; and the said clerk of the circuit court aforesaid shall certify to the governor the votes cast for the office of judge of the said county court, and the governor shall issue a commission to the person having the highest number of votes cast for the office of judge of the said county court. Provided, before this act shall take effect, the same shall be submitted to the qualified voters of said county at the same time for the election provided to be held for the county judge and other officers herein mentioned, and shall receive a majority of the voters voting at said election. The ballots cast at said election shall have thereon the words, "for the system," or "against the system."

Election ;
Present county
court to order
an election
under this act.
Notice.

Who to conduct
election.

Who may vote.

How held.

How certified.

Certificates of
election; who
to issue.

Proviso as to
when act shall
take effect.

Ballots; what
to have thereon.

CHAPTER XVI.

AN ACT to repeal section five of chapter one hundred and twenty-two of the Acts of 1872, entitled "An act to amend and re-enact an act passed February 10, 1870, amendatory of an act to amend the charter of the Little Kanawha Navigation Company," passed March 4, 1868, and confirming said Little Kanawha Navigation Company in all its rights privileges and franchises.

Approved, February 25, 1875.

Preamble.

WHEREAS, Section five of an act passed February 28, 1872, entitled "An act to amend and re-enact an act passed February 19, 1870, amendatory of an "act to amend the charter of the Little Kanawha Navigation Company, passed March 4, 1868" provided that the said Little Kanawha Navigation Company should construct and complete, and have in adequate working order, all the necessary locks and dams between lock and dam number one, as the same is now numbered, and located above the town of Elizabeth in the county of Wirt, and the mouth of said Little Kanawha river, within two years from the date of the passage of said act, and upon the failure so to do, within the time prescribed, the said company should forfeit all its privileges, rights and franchises to and upon said river and every part thereof, heretofore and hereinbefore granted ; and

WHEREAS, The said company has in all things complied with the terms and requirements of its charter, and especially with the said section five, except that the same was not completed within the two years prescribed in said section, therefore

Be it enacted by the Legislature of West Virginia:

Little Kanawha
Navigation Com
pany ;
Section 5 of
chapter 122 of
acts of 1872, in
relation thereto
repealed.

1. That section five of chapter one hundred and twenty-two of the Acts of 1872, be and the same is hereby repealed ; and that the said Little Kanawha Navigation Company, be and is hereby confirmed in all its priv-

ileges, rights and franchises to and upon said river, and every part thereof; and all the subscriptions to the capital stock of said company, or loans to the same, are hereby ratified, and declared valid and binding.

Company confirmed in all its rights, privileges and franchises.

2. This act shall be in force from and after its passage. Commencement

CHAPTER XVII.

AN ACT to amend and re-enact section eleven of an act passed on 26th December, 1873, entitled "An act relating to the school district of Martinsburg West Virginia."

* Approved, February 25, 1875.

Be it enacted by the Legislature of West Virginia:

That the eleventh section of the act passed on the 26th day of December 1873, entitled "An act relating to the school district of Martinsburg West Virginia," be amended and re-enacted so as to read as follows:

Acts 1872-3 amended.

Sec. 11. It shall be the duty of the board of education annually, in the month of July, to determine as nearly as practicable the amount of money necessary, in addition to all other available funds, to continue the schools of the district for a period of not less than nine months, and for all other purposes relating to the schools of the district, such as repairing and improvement of school premises, the purchases of sites and the building of school houses, the payment of debts previously contracted, which may fall due within the year, and said board shall cause the amount to be assessed on all the taxable property of the district, subject to state and county taxes; provided,

Assessment for school purposes

That no more than five mills on the dollar valuation of said taxable property shall be assessed in any one year for the purpose of continuing the schools for said period of not less than nine months, and for ordinary repairs and incidental expenses, and not more

Proviso limiting amount to be assessed.

	than four mills on the dollar valuation for the purchase of sites, the building of houses and permanent improve-
Building fund.	ments. The amount collected under the assessment last named, shall be known as the building fund. The as-
Who to levy assessment.	essment made under the provision of this section shall be levied by the board of education and collected by
Who to collect.	the same officer as the county levies are made and collected. The amounts thus collected shall severally be
To whom certified.	certified by the collecting officer to the clerk of the board of education, and shall be paid out only upon
How paid out.	drafts signed by the president and countersigned by the clerk and issued by order of the board of education, but
Expenses to be incurred limited.	the board shall not, during any one year incur any expenses for school purposes which shall exceed the amount of available funds received for such purposes during
May borrow money and execute bonds, &c.	that year. The board shall have authority to borrow money for building purposes and the purchase of sites for school buildings, and to that end may execute bonds
	or other evidences of debt, to be secured by a lien upon such sites, and the buildings thereon erected, which have been or may be purchased under the authority of this
Bonds, &c., how signed, and what to show on their face.	act. Provided, that such bonds, or other evidences of debt shall be signed by the president of the board and countersigned by the clerk, and shall show on their face the particular ground and buildings which shall be pledged for their payment, and provided further that
Interest on bonds limited; when paid.	the interest to be paid thereon shall not exceed the rate of eight per centum per annum, to be paid semi-annual-
When bonds to become due and payable.	ly; and it is also further provided that such bonds shall become due and payable within a period not exceeding twenty years; and that so much of the building fund to be annually obtained from the assessment for the purchase of sites and the erection of permanent improve-
Sinking fund.	ments as shall be necessary to pay the interest on all such bonds, and establish a sinking fund for their payment at maturity, shall be annually set apart for that purpose whenever a loan shall be negotiated and bonds be issued therefor, and it shall be the duty of the clerk of the board to keep a proper register of all such bonds
Bonds, &c., to be registered.	

or evidences of debt issued by the board, showing the interest paid thereon semi-annually, and the amounts passed to the credit of the sinking fund to be provided for their payment, as herein required. All mortgages or deeds of trust which may be executed under the authority of this act, shall be admitted to record and have full force and effect, according to the tenor and effect thereof, when signed by the president of the board and countersigned by the clerk and acknowledged for record by both of those officers: Provided, that all such mortgages or deeds of trust shall distinctly set forth the order of the board directing their execution.

What register must show.

Mortgages or deeds of trust to be admitted to record. Effect thereof.

What mortgages &c., must set forth.

CHAPTER XVIII.

AN ACT changing the name of the Weston and Clarksburg Railroad.

Approved, February 23, 1875.

Be it enacted by the Legislature of West Virginia :

That the name of the Weston and Clarksburg Railroad Company is hereby changed, and said corporation shall hereafter be known as the Weston, Buckhannon and Grafton Railroad Company.

Name of the Weston and Clarksburg Railroad Company changed.

CHAPTER XIX.

AN ACT to amend and re-enact section ten of chapter two hundred and eighteen of the Acts of 1872-3, in relation to suggestions.

Approved, February 25, 1875.

Be it enacted by the Legislature of West Virginia :

1. That section ten of chapter two hundred and eighteen of the Acts of 1872-3, is hereby amended and re-enacted so as to read as follows :

Acts of 1872-3 amended.

When and how
summons may
be issued by
judgment cred-
itor by reason
of the lien of
his writ of fieri
facias on any
person other
than judgment
debtor.

Return day of
such summons.

Commencement

"10. On a suggestion by the judgment creditor, that by reason of the lien of his writ of fieri facias there is a liability on any person other than the judgment debtor, a summons may be sued out of the office of the clerk of the circuit or county court of the county in which such person resides, or may be found, against such person to answer such suggestions, the return day of which summons may be the first day of the next term of said court."

2. This act shall be in force from its passage.

CHAPTER XX.

AN ACT to amend and re-enact section four of chapter one hundred and one of the Acts of 1872-3, concerning bonds on the levy of an execution, &c.

Approved, February 25, 1875.

Be it enacted by the Legislature of West Virginia:

Acts 1872-3
amended,

1. That section four of chapter one hundred and one of the Acts of 1872-3, concerning bonds on levy of executions, &c., be, and the same is hereby amended and re-enacted so as to read as follows:

What defense
may be made
by defendant if
undertaking
given on dis-
tress warrant.

"4. In an action or motion on such bond, when it is taken under a distress warrant, the defendant may make defense on the ground that the distress was for rent not due in whole or in part, or was illegal, or may make any other defense that could be made under chapter one hundred and twenty-six of the code of West Virginia."

CHAPTER XXI.

AN ACT authorizing the auditor to pay to Henry Kid Douglas, five hundred dollars.

Approved, February 25, 1875.

Be it enacted by the Legislature of West Virginia :

That the auditor is hereby directed to issue his warrant upon the treasurer of West Virginia for five hundred dollars in favor of Henry Kid Douglas, president of the Washington Cemetery at Hagerstown, Maryland, for having collected the dead of West Virginia, that fell in battle at Antietam and South Mountain, and for affording such dead a decent burial.

Auditor authorized to pay five hundred dollars to H. K. Douglas. For what purpose.

CHAPTER XXII.

AN ACT to re-imburse the school fund of the county of Mercer.

Approved, February 25, 1875.

WHEREAS, In the apportionment of the general school fund to the several counties of this State for the school year commencing on the first day of September 1873, the state superintendent of free schools made an error in assigning and distributing said fund to the county of Mercer, whereby said county received sixty dollars less than its portion ; and

Preamble.

WHEREAS, Said sum of sixty dollars remained undrawn to the credit of said county of Mercer until the thirty-first day of August, 1874, when it was transferred by the auditor to the credit of the general school fund for the succeeding year, as required by law : therefore,

Be it enacted by the Legislature of West Virginia :

1. That the sum of sixty dollars be and the same is hereby appropriated out of the general school fund to re-imburse the said county of Mercer, and that the

\$60 appropriated to re-imburse the school fund of Mercer county.

county superintendent of free schools for said county, issue his requisition on the auditor, for the sum of sixty dollars, payable to the sheriff of said county, and that said sheriff place the same to the credit of the school fund of said county.

Commencement 2. This act shall be in force from its passage.

CHAPTER XXIII.

AN ACT to amend and re-enact section four of chapter two hundred and twenty of the Acts of 1872-3, passed December 27th, 1873, concerning commissioners for re-assessing lands.

Approved, February 25, 1875.

Be it enacted by the Legislature of West Virginia:

Acts 1872-3
amended.

That section four of chapter two hundred and twenty of the Acts of 1872-3, be amended and re-enacted so as to read as follows:

Commissioner;
when to enter
upon the dis-
charge of his
duties.

"4. Each commissioner so appointed and qualified may enter upon the discharge of the duties required of him by this act on or before the first day of March, 1875; and shall as soon as practicable after receiving the books and instructions, to be furnished by the auditor proceed to examine in person all the tracts of land and town lots with the buildings and improvements thereon within his district, and shall upon examination and in accordance with his said instructions, ascertain and assess the fair cash value thereof; and in such assessment the minerals underlying the surface shall be considered in ascertaining the value of such land in current money, and when mineral or coal privilege or grant is held by a party or parties exclusive of the surface, the same shall be assessed separately to such party or parties at its cash market value. To assist him in identifying the said lands and lots, he shall obtain from the clerk of the county court the land book of the district he is to assess, made for the year 1874; or if no such book be on file for that year,

Assessment;
his duties in re-
lation thereto.

then the next preceding book on file, and carry it with him for reference in making this assessment."

2. This act shall take effect from its passage.

Commencement

CHAPTER XXIV.

AN ACT amending the twenty-first section of chapter forty-one of the Code, providing when and where public sales of mules, work oxen and horses under distress or levy shall be made.

Approved, February 25, 1875.

Be it enacted by the Legislature of West Virginia :

That section twenty-one of chapter forty-one of the Code be amended and re-enacted so as to read as follows :

"21. If such goods and chattels be mules, work oxen or horses the sale shall be at the court house of the county or corporation between the hours of ten in the morning and four in the afternoon : and the sale shall be on the first or second day of the term of the circuit or county court thereof next succeeding the publication of notice of sale as aforesaid, except when the parties shall in writing authorize the officer to dispense with the provisions of this section, in which case the sale shall be according to the preceding section.

Selling under execution, &c. Mules, work-oxen and horses must be sold at court house, unless parties agree otherwise.

Notice.

CHAPTER XXV.

AN ACT making an appropriation to aid in the purchase of land and the erection of a monument in commemoration of the battle of Point Pleasant, fought in the year 1774.

Approved, February 25, 1875.

Be it enacted by the Legislature of West Virginia :

That the sum of three thousand five hundred dollars be hereby appropriated, out of any money in the treasury

\$3,500 appropriated for the purchase of grounds

and erecting a monument to commemorate battle of Point Pleasant.

ury not otherwise appropriated, in the fiscal year 1876, for the purpose of aiding in the purchase of suitable grounds for and the erection of a monument to commemorate the battle of Point Pleasant, at the town of Point Pleasant, in the county of Mason.

How paid.:

The money hereby appropriated shall be paid upon the draft of the president and the secretary of the association having in charge the erection of said monument.

CHAPTER XXVI.

AN ACT to amend and re-enact section twenty-two of chapter one hundred and eighty-two of the Acts of 1872-3, in relation to an alternative method of constructing and keeping in repair county roads.

Approved, February 26, 1875.

Be it enacted by the Legislature of West Virginia:

Acts 1872-3 amended.

1. That section twenty-two of chapter one hundred and eighty-two of the Acts of 1872-3, in relation to an alternative method of constructing and keeping in repair county roads, be and the same is hereby amended and re-enacted so as to read as follows:

Alternative road law.

How method, if adopted, may be discontinued by county.

“22. Any county having adopted the provisions of this act, and wishing thereafter to discontinue the same, may do so in the following manner, viz: Upon the petition of one hundred voters to the county court of said county, the said county court shall make an order at the term at which the petition is presented, submitting the question of discontinuance to the voters of the county, at a special election to be held for that purpose, not less than thirty nor more than sixty days after the date of entering said order; and the clerk of the county court shall give not less than three weeks notice of said election by publishing the same in the newspapers of the county, and if none be published in the county, then by posting not less than five written or printed notices in each district

Notice to be given.

of the county; and a majority of all the votes cast at said election shall decide the question. The said election shall be held, the returns made and certified as is provided for other county elections, in the general election law, and if it shall be determined at said election to discontinue the same, the general road law in force at that time shall be in force in said county."

Majority of votes cast to decide question.

How election held; returns made and certified.

If discontinued, general road law to be in force.

Commencement

2. This act shall be in force from its passage.

CHAPTER XXVII.

AN ACT authorizing the construction of a foot walk in Precinct No. 1 in Parkersburg district in the county of Wood, and for the protection of the same.

Approved, February 26, 1875.

Be it enacted by the Legislature of West Virginia:

1. That it shall be lawful for the citizens of Precinct No. 1 in Parkersburg district in the county of Wood, with their own private means to construct and maintain a foot walk along what is known as the sand road in said district, or so much thereof as they may see proper to construct and maintain.

Foot walk :
Authority to construct same in Precinct No. 1, Parkersburg District, Wood county.

2. Any person or persons who shall ride or drive any animal or vehicle on or along said foot walk, or otherwise injure the same, shall be liable to a fine of not less than one nor more than ten dollars for every such offence, to be recovered by warrant before any justice of said county of Wood.

Authority to protect same.

Fines, how recovered.

CHAPTER XXVIII.

AN ACT to amend and re-enact section six of chapter one hundred and eighty-four of the Acts of 1872-3, entitled "An act to amend and re-enact an act entitled an act to amend and re-enact an act passed March 3, 1870, entitled an act regulating the deposits of State funds, and to secure interest thereon," passed February 17, 1871.

Approved, February 26, 1875.

Be it enacted by the Legislature of West Virginia:

Acts 1872-3
amended.

1. That section six of chapter one hundred and eighty-four of the Acts of 1872-3, be amended and re-enacted so as to read as follows:

State funds
where to be de-
posited.

"6. The money collected in any congressional district shall be deposited in some of the designated depositories of state funds situated therein, and the deposit of state funds shall be as nearly equal in each congressional district as practicable."

To be equal in
each congress-
ional district.

[NOTE BY CLERK OF THE HOUSE OF DELEGATES.—The foregoing act takes effect from the date of its approval, two thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.]

CHAPTER XXIX.

AN ACT making notaries public conservators of the peace in their respective counties.

Approved, February 26, 1875.

Be it enacted by the Legislature of West Virginia:

Code amended.

That section four of chapter fifty-one of the Code of West Virginia, be amended and re-enacted, so as to read as follows:

Notaries;
May take ac-
knowledgment
of deeds, &c.,

"Sec. 4. A notary under the regulations prescribed by law may take within his county acknowledgment of

deeds and other writings, and the privy examination of ^{and privy ex-} married women respecting the same. He shall also be a ^{aminations of} conservator of the peace within his county, and as such ^{married women} conservator shall exercise all the powers conferred by ^{Made conserva-} law upon justices of the peace. ^{tors of the} ^{peace.}

[NOTE BY CLERK OF THE HOUSE OF DELEGATES—
The foregoing act takes effect from its passage, two-thirds of the members elected to each house, by a vote taken by yeas and nays having so directed.]

CHAPTER XXX.

AN ACT making appropriations of public money to pay
general charges upon the treasury.

Approved, February 26, 1875.

Be it enacted by the Legislature of West Virginia:

1. That so much of the public taxes, and arrears of ^{Appropriations} taxes and all other sources of revenue which have ^{to pay general} been received into the public treasury since the first day ^{charges upon} of October, 1874, and which may be received therein ^{the treasury.} prior to the first day of October, 1876, which may be necessary to pay claims and charges upon the treasury, other than the salaries of the officers of government, shall constitute a fund for that purpose. No money belonging to any fund shall be taken for any other purpose than that for which it has been, or may be appropriated or provided. And to that end there shall be, and is hereby appropriated out of the fund from taxation and other sources of revenue, a sum sufficient to pay the following charges, payable out of the treasury during the fiscal years ending with the thirtieth day of September, 1875, as follows:

For the fiscal year ending September 30th, 1875: Fiscal year.

LEGISLATIVE DEPARTMENT.

For contingent expenses for the session commencing ^{To pay contin-} January thirteenth, 1875, and ending February twenty- ^{gent expenses of} session of 1875.

sixth, 1875, and such other sums as may be lawfully expended, six thousand dollars.

JUDICIAL DEPARTMENT.

Mileage of judges of supreme court and circuit courts. To pay mileage of the judges of the supreme court of appeals, and the judges of the circuit courts, one thousand and seven hundred dollars.

Officers and contingent expenses supreme court and contingent expenses of circuit court. To pay allowances to the several officers of the supreme court of appeals and contingent expenses of said court, and the contingent expenses of the circuit courts, to be certified by the courts respectively, according to law, two thousand dollars.

EDUCATIONAL DEPARTMENT.

University.

Construction of buildings. To pay for construction of buildings, five thousand dollars.

Salaries, &c., of professors. To pay salaries of professors and instructors, and current expenses of the university at Morgantown, eight thousand dollars.

Deficit in expenses. To pay deficit in current expenses, three thousand three hundred and forty dollars and ninety-one cents.

Insurance on university and normal schools. To pay insurance on university buildings and normal school buildings, one thousand dollars.

To pay regents. To pay expenses of regents visiting the university, three hundred dollars.

How paid. The said sums to be paid on the order of the executive committee of the board of regents of the university of West Virginia.

To pay Jas. H. Leps. To pay James H. Leps for his services as one of the state board of examiners of teachers, to be paid out of the general school fund, one hundred and seven dollars and twenty-five cents.

And W. J. Kenney. To pay W. J. Kenney for his services as one of the state board of examiners of teachers, to be paid out of the general school fund, eighty-five dollars and eighty-five cents.

Normal Schools.

Marshall College. To pay teachers in Marshall College, one thousand five hundred dollars.

To pay teachers in Fairmont Normal School, one thousand five hundred dollars. Fairmont school.

To pay teachers in West Liberty Normal School, one thousand five hundred dollars. West Liberty school.

To pay teachers in Glenville Normal School, one thousand five hundred dollars. Glenville school.

To pay teachers in Shepherdstown Normal School, one thousand five hundred dollars. Shepherdstown school.

To pay teachers in Mercer County Normal School, one thousand five hundred dollars. Mercer county school.

To pay the expenses of the board of regents visiting normal schools, five hundred dollars. Board of Regents.

To pay salary of the secretary of the board of regents, three hundred dollars. Secretary board regents.

The several amounts hereby appropriated to normal schools and to pay the expenses of the board of regents, and the salary of their secretary, shall be paid out of the general school fund. To be paid out of the general school fund.

The board of regents of the normal schools shall make no contracts to bind the State beyond the amounts hereby appropriated. Regents prohibited from binding the state beyond amount hereby appropriated.

EXECUTIVE DEPARTMENT.

Civil Contingent Fund.

To pay, upon the order of the governor, directed to the auditor, all expenses in the execution of any law for which the legislature has made no appropriation, six thousand dollars. Provided, that no part of said sum shall be used in the payment of the expenses of the removal of the capital from the city of Charleston to the city of Wheeling. Civil Contingent fund; how paid. No part to be used to pay expenses of removal of capital.

Salaries of Clerks.

To pay the salary of the private secretary of the governor, one thousand dollars. Secretary to governor.

To pay the salary of the clerk in the office of the secretary of state, one thousand dollars. Clerk to secretary of state.

For extra clerk hire in the office of the secretary of state, five hundred dollars. Extra clerk hire in office of same.

- Clerks in auditor's office To pay salaries of clerks in the auditor's office, four thousand eight hundred dollars.
- Extra clerk hire in same. For extra clerk hire in the auditor's office, seven hundred dollars.
- Clerk in treasurer's office. To pay salary of the clerk in the treasurer's office, one thousand dollars.
- Clerk in office of state superintendent of schools. To pay salary of the clerk in the office of the state superintendent of free schools, to be paid out of the general school fund, one thousand dollars.

Capitol Building Expenses.

- To pay coal, gas, ice, &c. To pay for coal, gas, ice, water and other necessary charges, to take care of and preserve the public grounds and buildings, to be paid out of the contingent fund hereinbefore provided, and not in addition thereto, and to be paid on the order of the governor on the requisition of the janitor, seven hundred dollars.
- How paid.
- To pay insurance. To pay for policy of insurance on the capitol building, and on the state library, to be paid out of the contingent fund hereinbefore provided, and not in addition thereto, to be paid on the order of the governor upon the requisition of the janitor and librarian, respectively, three hundred dollars.
- How paid.

Public Printer.

- To pay printing, &c. To pay for public printing, binding and stationery, done or furnished according to law, ten thousand dollars.

Penitentiary.

- To pay superintendent. To pay the salary of the superintendent of the penitentiary, one thousand five hundred dollars.
- Clerk. To pay the salary of the clerk of the penitentiary, one thousand dollars.
- Commissary. To pay the salary of the commissary of the penitentiary, one thousand dollars.
- Support of convicts. To support convicts in the penitentiary, to be paid and disbursed on the order of the board of directors, seven thousand dollars.

To pay guards in the penitentiary, nine thousand ^{Guards.} dollars.

To pay for repairs and construction of the peniten- ^{Repairs, &c.} tiary wall and buildings, to be drawn and disbursed under the order of the board of directors, six thousand dollars.

Criminal Charges.

To pay criminal charges, thirty-five thousand dollars. ^{To pay criminal charges.}

CHARITABLE INSTITUTIONS.

Hospital for the Insane at Weston.

To pay the salary of officers and employees; the ^{To pay officers and employ-} clothing, medicine and subsistence of the lunatics ^{ees, &c.} confined in the West Virginia Hospital for the insane, at Weston, estimated by the superintendent, and to be paid on the order of the board of directors, fifty thousand dollars.

Construction of Hospital Building.

To pay for completing and finishing the section now ^{To pay for com-} under construction of the West Virginia Hospital build- ^{pleting section} ing, to be paid on the orders of the directors of the said ^{now under con-} institution, twenty-five thousand dollars. ^{struction.}

Lunatics in Jail.

To pay jailor's fees authorized by law, for subsistence, ^{To pay for sup-} clothing and support of lunatics confined in the jails, ^{port of lunatics} and those supported elsewhere under orders of the ^{in jail.} courts, six thousand dollars.

Institution for the Deaf, Dumb and Blind.

To pay current expenses for the support of the insti- ^{To pay current} tion for the deaf, dumb and the blind, at Romney, to be ^{expenses.} paid on the orders of the executive committee of the board of regents, twenty-five thousand dollars.

To pay insurance on the buildings, five hundred dol- ^{Insurance.} lars.

- Construction. For construction purposes, six thousand dollars.
- Furniture. For furniture, one thousand dollars.
- Gas. For furnishing the institution with gas, one thousand three hundred and seventy-five dollars.

CIVIL ADMINISTRATION.

Assessors.

- To pay assessors. To pay the several assessors of the State, commissions, or compensation in lieu thereof allowed by law, for their services in the assessment of persons and property, for listing births and deaths, and for other services required by law, one hundred and fifty dollars.

Overpaid taxes.

- To return over paid taxes. To return money paid into the treasury in excess of indebtedness, seven thousand dollars.

Erroneous Assessments.

- To pay erroneous assessments. To pay erroneous assessments in pursuance of orders of exoneration, five thousand dollars.
- To pay Wm. Workman. To pay Wm. Workman, of Boone county, in accordance with an act passed for his relief December 8, 1873, fifty-four dollars.

Return of County Taxes paid into the Treasury.

- To return county taxes. To return to counties the amount of levies received by the auditor, and directed to be paid to the several counties for the proceeds of the redemption of delinquent lands, twenty-five thousand dollars.

Agents.

- To pay agents and attorneys. To pay commissions to agents and attorneys for the collection of debts due from defaulting officers, on so much as shall have been paid into the treasury, five hundred dollars.

Civil Suits.

- To pay debts and interest. To pay debts and interest contracted for the use of the State by the executive, estimated at twenty thousand dollars.
- Re-assessment of lands. To pay commissioners for the re-assessment of lands throughout the State, twenty thousand seven hundred and fifty dollars.

To pay S. S. Moore for stationery for the legislature, S. S. Moore.
 sixty-seven dollars and twenty-five cents.

To pay Callighan & Co. for books for the state li- To pay books
for library.
 brary, two hundred and fifty-seven dollars and fifty
 cents.

To pay arrearages of legislative expenses for the ses- To pay arrear-
ages of expenses
for session
1872-3.
 sion of 1872-3, one thousand dollars.

To pay counsel fees in the case of Bridges vs. Shall- Counsel fees.
 cross, as follows :

To pay to Caleb Bogges, five hundred dollars. Bogges.

To pay to James H. Ferguson, five hundred dollars. Ferguson.

To pay to Virginia Lee, widow of George H. Lee, de- Lee.
 ceased, five hundred dollars.

To pay counsel fees in the case of Simpson vs. the
 Auditor, as follows :

To pay to James H. Ferguson, one hundred and fifty Ferguson.
 dollars.

To pay to James Morrow Jr., one hundred and fifty Morrow, jr.
 dollars.

Be it further enacted, that all moneys hereby appro-
 priated to be used within the said fiscal years, and not Money not
drawn during
fiscal year, shall
not thereafter
be drawn with-
out authority
of law.
 drawn within the period of said fiscal years ending re-
 spectively on the thirtieth day of September, 1875, and
 the thirtieth day of September, 1876, shall not be
 thereafter drawn without authority of law. But to
 pay the same, and every part thereof the auditor is
 hereby authorized and required, when properly demand-
 ed, to issue his warrant on the treasury in the same
 manner he would be required to do if each item of ex-
 penditure was directed to be paid to a creditor by name ;
 and no money shall be drawn from the treasury beyond
 the appropriations hereby made, unless the same is au-
 thorized by the constitution, or by some general law not No money be-
yond appropri-
ations shall be
drawn, unless
authorized by
constitution or
some general
law.
 provided for in this act. But appropriations to any of
 the public institutions of the state, for said fiscal years,
 may be drawn after the end of said fiscal year, and no
 money appropriated hereinbefore for said institutions
 shall be drawn from the treasury except as the same may
 be actually required for immediate use. Exception as to
appropriations
for public in-
stitutions.

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES
—The foregoing act takes effect from its passage, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so decided.]

CHAPTER XXXI.

AN ACT to pay the State House Company for the use and occupation, by the State government, of the house, buildings and grounds in Charleston belonging to said Company.

Approved, February 26, 1875.

Be it enacted by the Legislature of West Virginia :

Thirty thousand dollars appropriated to pay state house company for rent of building by state government.

That the sum of thirty thousand dollars be and the same is hereby appropriated out of the state treasury to be paid, by the warrants of the auditor drawn for that amount, to the State House Company for the use and occupation, by the state government, of the state house building and grounds, belonging to said company, in Charleston, one-half to paid out of the revenue of 1875, and the residue out of the revenue of 1876.

When paid.

Commencement

2. This act shall be in force, on and after ninety days from its passage.

CHAPTER XXXII.

AN ACT to provide for the protection of sheep.

Approved, February 26, 1875.

Be it enacted by the Legislature of West Virginia :

Any dog seen chasing, &c., or killing sheep outside the enclosure of the owner of such dog may be killed.

1. Any person may kill any dog that he may see chasing, worrying, wounding or killing any sheep or lambs, outside of the enclosure of the owner of such dog, unless the same be done by the direction of the owner of such sheep or lambs.

2. If any dog shall have killed, or assisted in killing, wounding or worrying any sheep or lambs, out of the enclosure of the owner of such dog, the owner or keeper of such dog shall be liable to the owner of such sheep or lambs in the amount of the damages sustained, to be recovered in an action before any court or justice having jurisdiction of such action ; and it shall not be necessary to sustain such action to prove that the owner or keeper of such dog knew such dog was accustomed to do such worrying, killing or wounding.

Liability of the owner of such dog for damages.

How recovered.

What not necessary to be proven.

3. The owner or keeper of any dog that has been worrying, chasing, wounding or killing any sheep or lambs, (not the property of such owner or keeper,) out of his enclosures, shall within forty-eight hours after having received notice thereof in writing from reliable and trusty source, cause such dog to be killed. For every neglect so to do, he shall forfeit the sum of three dollars, and the further sum of one dollar and fifty cents for every twenty-four hours thereafter until such dog is killed, unless it shall satisfactorily appear to the court or justice before which proceedings shall be brought for the recovery of said penalty, that it was not within the power of such owner or keeper to kill such dog. Nor shall any recovery be had unless it shall satisfactorily appear that such dog has done the mischief, and that such owner or keeper has had notice as aforesaid.

Duty of owner or keeper to cause such dog to be killed, when properly notified.

Penalty for failure so to do.

What must satisfactorily appear to justify recovery or to prevent recovery.

CHAPTER XXXIII.

AN ACT to amend and re-enact chapter one hundred and twenty-two of the Code.

Approved, February 26, 1875.

Be it enacted by the Legislature of West Virginia :

1. That chapter one hundred and twenty-two of the Code, be and is hereby amended and re-enacted as follows:

Code amended.

Names;
change of.

To what courts
application
may be made.

2. Any person desiring a change of his own name, or that of his child or ward, may apply therefor to the county or circuit court of the county in which he resides: And thereupon said court in its discretion, may order a change of the name and thenceforth the new name shall be in place of the former.

CHAPTER XXXIV.

AN ACT fixing the times for holding the circuit courts in the second judicial circuit.

Approved, March 1, 1875.

Be it enacted by the Legislature of West Virginia :

Second judicial
circuit ;

1. That the circuit courts for the second judicial circuit shall be held as follows :

Times for the
circuit courts in
Taylor county.

For the county of Taylor, on the first day of March, and the first day of September.

Monongalia.

For the county of Monongalia, on the fifteenth day of March, and the fifteenth day of September.

Wetzel.

For the county of Wetzel, on the fifth day of April, and the fifth day of October.

Marion.

For the county of Marion, on the eighteenth day of April, and the eighteenth day of October.

Doddridge.

For the county of Doddridge, on the fifteenth day of May, and the fifteenth day of November.

Harrison.

For the county of Harrison, on the thirtieth day of May, and the thirtieth day of November.

Commencement

2. This act shall be in force from and after its passage.

CHAPTER XXXV.

AN ACT changing the time for holding the county court in the county of Monongalia.

Approved, March 1, 1875.

Be it enacted by the Legislature of West Virginia :

1. That the county court of the county of Monongalia shall be held on the second Monday in April, fourth Monday in June, September and December, and the first Monday in May and August of each year. County court of Monongalia county; time for holding the same.

2. This act shall be in force from and after its passage. Commencement

CHAPTER XXXVI.

AN ACT to prescribe the times of holding the circuit courts in the seventh judicial circuit.

Approved, March 1, 1875.

Be it enacted by the Legislature of West Virginia :

That the circuit courts of the seventh judicial circuit shall hereafter commence and be held at the following times, to-wit : Seventh judicial circuit: Times for holding courts in.

1. For the county of Roane, on the first Monday of March and first Monday of September.

For the county of Jackson, on the third Monday of March and the third Monday of September.

For the county of Mason, on the first Monday of April and the first Monday of October.

For the county of Putnam, on the fourth Monday of April and the fourth Monday of October.

For the county of Kanawha, on the second Monday of May and on the first Monday of November.

2. This act shall be in force from and after its passage.

3. All acts inconsistent with this act are hereby repealed. Inconsistent acts repealed.

CHAPTER XXXVII.

AN ACT to limit charges for transportation of freight over short line of railroads.

Passed, March 3, 1875.

Be it enacted by the Legislature of West Virginia :

Charges for transportation of freight over short line railroads limited.

Act may be amended or repealed.

1. That any incorporated company operating by steam or horse power a railroad not exceeding thirty miles in length, may charge for the transportation of freight, not exceeding twenty cents per ton per mile.

2. The legislature reserves the right to amend or repeal this act.

A. MONROE

Speaker of the House of Delegates.

D. D. JOHNSON

President of the Senate.

[Note by the Secretary of State—

OFFICE OF SECRETARY OF STATE,

STATE OF WEST VIRGINIA, March 3, 1875.

The foregoing act having been presented to the governor for his approval, and not having been returned by him to the house of the legislature in which it originated within the time prescribed by the constitution of the State, has become a law without his approval.]

CHAPTER XXXVIII.

AN ACT to modify the county court of Kanawha county, under the thirty-fourth section of article eight of the Constitution of the State of West Virginia :

Passed, March 1, 1875.

Be it enacted by the Legislature of West Virginia :

County court of Kanawha county to be held by a judge.

1. The county court of Kanawha county shall be held by a judge, who shall be called the judge of the county court of Kanawha county. After the election as herein-

after provided, he shall be commissioned by the governor, and shall receive a salary of fifteen hundred dollars, to be paid quarterly out of the county treasury. His term of office shall be four years, except as to the judge first to be elected under this act, who shall continue in office until the general election to be held on the second Tuesday in October, 1876. If the said office shall, from any cause become vacant, the same shall be filled by appointment by the justices of said county, and the commission of the judge so appointed, shall be valid until the ensuing general election. For the purpose of making such appointment the clerk of said court shall summon the justices to meet at the court house of said county, after reasonable notice. The judge of said court during his term of office shall not practice the profession of law, nor shall he hold any political office. He may be removed from office by a concurrent vote of both houses of the legislature, in the manner provided by the eighteenth section of the eighth article of the constitution, when, from any cause he may be unfit or incapable of discharging his duties. He shall be subject to impeachment, in the manner and for the causes presented in the eighth section of article four of the constitution, and upon conviction, be subject to the judgment therein prescribed.

When elected to be commissioned by the governor.

His salary.

How paid.

Term of office.

Vacancies; how filled.

Duty of clerk of county court as to appointments to fill vacancies.

Judge of court prohibited from practicing and holding office.

How removed from office.

For what cause.

May be impeached.

Jurisdiction of court.

Powers of judge in vacation.

Not to grant appeals, writs of error, &c. to decrees, &c., of circuit court.

2. The said county court shall have the same jurisdiction as is conferred by the constitution and laws upon the existing county court, except as to assessments and taxes upon the property of the county, which shall be made at the fiscal term by the justices of the county as hereinafter provided. The said judge of said court in vacation, shall exercise the same powers within the county of Kanawha in civil cases as are now conferred upon the judge of the circuit courts, except that he shall not grant appeals, writs of error and supersedeas to decrees and judgments of the circuit court: nor to dissolve any injunction of the circuit court: nor to reverse or correct any judgment of the same.

3. There shall be six sessions of said court in every year, to four of which petit jurors shall be summoned.

Sessions of court

Petit and grand jurors.

and to one of which grand jurors shall be summoned.

Law and equity terms. Four of said terms shall be for the trial of all causes in law and equity, and the other two terms shall be limited

Fiscal and police terms. to the police and fiscal affairs of the county. The fiscal, or levy term of said court shall be held on the third

When held. Monday in June, and the police term on the third Monday in December of each year. The fiscal and police

Fiscal and police terms; how constituted. term shall be constituted of the judge and justices of the county, who shall assemble at the court house at the

Judge to preside. time designated for holding said fiscal and police terms and at which the judge shall preside. A majority of the

Quorum. justices shall be necessary to constitute a quorum at the fiscal term. The fiscal and police terms shall not continue in session more than six days each. The justices

Term limited. shall be entitled, each, to three dollars per day for necessary attendance at said term, to be paid out of the

Compensation of justices. county treasury. In the absence of the judge, the justices may elect a presiding judge pro tem. The trial

Judge pro tem when and how appointed. term of said court shall be held on the third Mondays in

Trial term: when held. February, April, August and October.

What court to have cognizance of; 4. The court shall have cognizance of all matters pertaining to its general jurisdiction, including matters of

Exception. police at each term thereof, except at the fiscal term for assessments upon the property of the county.

Election authorized to be held to vote for judge and for or against county court system; When. 5. Be it further enacted, that there shall be an election on the fourth Saturday in April, 1875, by the qualified voters of Kanawha county, at their respective

places of voting, when they shall at the same time vote for county judge, who shall be a citizen of the county, learned in the law, and for or against the new county court. The result of said election shall be certified according to the laws now in force, to the clerk of the

county court, who shall certify to the governor of the State, the number of votes cast for the several candidates for the said office of judge, and the number of votes cast for the new county court of Kanawha county. And

Majority of votes cast necessary. in the event that a majority of votes cast are for said new county court, the governor shall issue a commission to the person receiving the highest number of votes for the said office of judge.

6. From and after the ratification of this act as here- When present county court to be suspended.
 inbefore provided, the present county court of said county shall be superseded, and all laws in conflict with Conflicting acts repealed.
 this act, are hereby repealed.

7. This act shall be in force from its passage.

Commencement

A. MONROE

Speaker of the House of Delegates.

D. D. JOHNSON

President of Senate.

[Note by the Secretary of State.

OFFICE OF SECRETARY OF STATE,

STATE OF WEST VIRGINIA, March 3, 1875.

The foregoing act having been presented to the governor for his approval, and not having been returned by him to the house of the legislature in which it originated, within the time prescribed by the constitution of the State, has become a law without his approval.]

CHAPTER XXXIX.

AN ACT to amend and re-enact the charter of the city of Charleston, in the county of Kanawha.

Be it enacted by the Legislature of West Virginia:

That the charter of the city of Charleston be, and the same is hereby amended and re-enacted so as to read as follows:

1. The corporate limits of the city of Charleston shall Corporate limits
 be as follows, to wit: Beginning at the Kanawha river, at low water mark, on the line dividing the estate of Bradford Noyes, deceased, from the lands next above the same, and running thence with said dividing line to the foot of the hill: thence a direct continuation of the said line to the Coal Branch: thence down said Coal Branch, with its meanders, to Elk river: thence down Elk river, at low water mark, to its mouth: and thence up the Kanawha river, with its meanders, at low water mark, to the place of beginning.

Municipal au-
thorities.

2. The municipal authorities of said city shall be a mayor, recorder and nine councilmen, who, together, shall be a common council.

Incorporation.

3. The mayor, recorder and councilmen, as soon as they have been elected and qualified, as hereinafter provided, shall be a body politic, by the name of "The City of Charleston," and shall have perpetual succession and a common seal: and by that name may sue and be sued, implead and be impleaded: and may purchase and hold or sell real estate and other property necessary to enable them the better to discharge their duties, and needful for the good order, government and welfare of the said corporation.

Corporate pow-
ers; how exer-
cised.

4. All the corporate powers of the said city shall be exercised by the said council, or under their authority, except when otherwise provided; but the recorder shall have no vote at any meeting of the said council, except in the absence of the mayor.

Recorder not to
vote except in
absence of may-
or.

Municipal offi-
cers.

5. There shall be a sergeant, treasurer, assessor and overseer of the poor.

Officers; how
elected.

6. The mayor, recorder, sergeant and treasurer shall be elected by the citizens of said corporation who may be entitled under this act to vote.

Councilmen;
how elected.

At the first election after the passage of this act, nine councilmen shall be elected, three by the qualified voters of each ward; three of whom, that is one in each ward, to be designated by lot, in such manner as the mayor may determine, shall hold their office, for the term of one year; three others, that is one from each ward, to be designated as before, shall hold their office for the term of two years; and the remaining three, shall hold their office for the term of three years; at each annual election after the first election, three councilmen only, that is, one from each ward, shall be elected by the qualified voters thereof.

Term of office;
how determined

Terms of office
of councilmen
and officers.

7. The term of office for councilmen (except when to fill vacancies) shall be three years, except as directed in the previous section, and until their successors shall have been elected and qualified as hereinafter provided.

The term of office for the mayor and recorder shall be for two years or until their successors shall have been elected and qualified, and the term of office for the sergeant and treasurer shall be for the same period.

8. The mayor, recorder and councilmen must be free-holders in said corporation, and entitled to vote for members of its common council. Qualifications for officers.

9. The said city shall consist of three wards, as at present located and bounded, under an ordinance of the council of Charleston; but the said council may hereafter increase the number of wards, or alter and change the names, location and boundaries thereof. Elections under this act shall be held on the second Monday in March, in each year, at such places in the respective wards as the council may, from time to time, prescribe by ordinance. The said elections to be under the supervision of three inspectors, at each election precinct in said city, who are to be annually selected and appointed by the council of said city, and who shall be governed by such rules and regulations as the council may prescribe. The officers conducting the elections shall grant a certificate to the persons receiving the highest number of votes cast at such election (except in the case of mayor, recorder, sergeant and treasurer) which certificate shall be recorded in the journal kept by the council. Wards of city. Annual election. Places of voting. Inspectors of election. Certificates of election granted by officers conducting election. Exception.

10. As soon as the result of such election for mayor, recorder, sergeant and treasurer, is ascertained, the inspectors of election shall sign a certificate containing complete returns of the poll taken at their place of voting, for each of the said officers, and shall enclose the ballots in an envelope, which shall be sealed up and endorsed by each of such inspectors. The inspectors, or one of them, shall within three days after the day on which the election was held, deliver the said certificate and the ballots sealed up as hereinbefore provided, to the recorder of the city of Charleston. At the next meeting of the council thereafter, the recorder shall present such certificates and ballots to the council, who shall examine the same and ascertain the true result of such election in said city. Certificates of election of mayor, recorder, treasurer and sergeant; duty of inspectors in regard to. Council to declare result; when.

And the persons appearing to have received the highest number of all the votes cast at the several voting places in said city, for the several offices mentioned in this section, shall be declared elected, and a certificate thereof, signed by the mayor and recorder, shall be granted to the person so elected.

Certificates; by whom signed.

Who may vote.

11. Every male person residing in said city shall be entitled to vote for all officers elected under this act; but no person who is a minor, or of unsound mind, or a pauper, or who is under conviction of treason, felony, or bribery in an election, or who has not been a resident of the State for one year, and of the city of Charleston for thirty days, and of the ward in which he offers to vote, for five days next preceding such offer, or who has not been assessed with corporation taxes, in the last preceding year, or who has not paid the same, shall be permitted to vote at any election under this act while such disability continues: "Provided, that if any persons right to vote be challenged on account of any constitutional disability, not herein mentioned, such person shall not be denied the right to vote, unless, and until record evidence of such disability be produced."

Proviso.

Vacancies in office; how filled.

12. All vacancies occurring from any cause, in any of the offices provided for in this act, shall be filled by appointment by the council, but in the case of a councilman, such appointment shall be made only of a resident of the ward in which such vacancy has occurred.

To vote, by ballot.

13. At all elections, the vote shall be by ballot.

Tie votes; how decided.

14. Whenever two or more persons, for the same office, at any election, shall receive an equal number of votes, the council shall in an equitable mode, determine which of the persons so voted for shall be returned elected.

Contested elections; how decided.

15. All contested elections shall be heard and decided by the council for the time being, but the council may order a new election if they are satisfied the ends of justice will be better attained thereby.

Quorum.

16. A majority of the whole number of officers mentioned in the second section of this act shall be necessary to the transaction of any business whatever.

17. The mayor, recorder, councilmen, and all officers Oath of office. herein provided for, shall each, before entering upon the duties of his office, and within two weeks from the time of his election or appointment, take and subscribe an oath to faithfully and impartially discharge the duties of his office, and the oath to support the constitution of the United States, and the constitution of the state of West Mayor may administer. Virginia. The mayor having taken such oath or affirmation, may administer the same to the councilmen and other officers. Certificates of said oath or affirmation, Where recorded shall be recorded in the journal kept by the council.

18. If any one who shall have been duly elected Failure to qualify; what then. mayor, recorder or councilman, shall not have been eligible as herein prescribed or shall refuse or fail to take the oath or affirmation required under this act, within the time prescribed, the council for the time being, shall declare his office vacant, and proceed to fill such vacancy as provided in section eleven of this act.

19. The council shall be presided over at its meetings Presiding officer by the mayor, or in his absence by one of the councilmen, chosen by a majority of the council present.

20. The council shall cause to be kept in a well bound book, an accurate record of its proceedings, by-laws, Journal of council; and record of. acts and orders, which shall be fully indexed, and open to the inspection of the citizens of the city. The proceedings of each meeting shall be read and corrected at the succeeding meeting and signed by the person presiding for the time being. Upon the call of any member Yeas and nays. the yeas and nays shall be called and recorded in the journal. The presiding officer may vote as a member of Vote of presiding officer. the council, and in all cases of a tie, the person presiding at the time shall have the casting vote.

21. The council shall have power to re-survey said Powers of council. town, and for this purpose may employ a competent engineer (which officer may be made elective by order of the council) and prescribe his duties, term of office and amount of compensation; to open new streets, and extend, straighten, widen and repair old streets and alleys; to curb and pave streets, sidewalks and gutters for pub-

Powers of council.

lic use, and to alter, improve and light the same; and shall assess upon, and collect from the property benefitted thereby, such part of the expense thereof, as shall be deemed equitable and just by said council; and shall have control of all avenues for public use in said city; to have the same kept in good order and free from obstructions on, or over them; to regulate and determine the width of all streets, sidewalks and public alleys; to order and direct the curbing and paving of all sidewalks and footways for public use in said city, to be done and kept in good order by the owners or occupant of the adjacent property; to control the construction and repairs of all houses, bridges and culverts, and sewers, the opening and construction of all ditches, drains, sewers and gutters; to widen, deepen and clear the same of stagnant water and filth, and to determine at whose expense the same shall be done; to purchase, lay off and appropriate public grounds and control the use of the same; to provide, contract for and take care of all public buildings proper to the town; to provide for the regular building of houses or other structures; and determine the distance that they shall be built from any street or alley; to cause the removal of unsafe walls or buildings; to prevent injury or annoyance to the public or individuals from anything dangerous, offensive or unwholesome; to abate or cause to be abated anything which, in the opinion of the council, shall be a nuisance; to regulate the keeping of gunpowder and other combustibles; to provide in, or near the city, places for the burial of the dead, and to regulate interments in the city, and to provide for shade and ornamental trees; to provide for the making of division fences, and for draining of lots by proper drains and ditches; to make regulation for guarding against danger or damages from fires; to provide for the poor of the city; to organize one or more fire companies and provide the necessary apparatus, tools, implements, engines, or any of them, for their use, and in their discretion to organize a paid fire department, and to provide sufficient revenue for the said city, and

appropriate the same to its expenses ; and to provide for the annual valuation of property and the assessment of taxable persons and property in the city ; to adopt rules for the transaction of business, and for the government and regulation of its own body ; to promote the general welfare of the city, and to protect the persons and property of the citizens therein ; to appoint such officers as they may deem proper ; to define their powers, prescribe their duties, fix their term of service and compensation, require and take from them bonds, with such sureties and in such penalty, as the council may determine, conditioned for the true and faithful discharge of their duties, and remove them at pleasure, (all bonds taken by the council shall be made payable to the city by its corporate name); to regulate and provide for the weighing of hay, coal, wood, and other articles sold, or for sale in said city, and to regulate the transportation thereof through the streets ; to establish and regulate markets, to prescribe the time for holding the same, and what articles shall be sold only in said markets ; to protect places of divine worship ; to lay off the city into three or more wards, and to appoint and publish the place of holding city elections ; to erect, or authorize or prohibit the erection of gas works or water works in or near the town ; to prevent injury to, and provide for the protection of the same ; to provide for the purity of the water and healthfulness of the city, for all of which purposes, except that of taxation, the council shall have jurisdiction for one mile beyond the corporate limits of said city.

22. To carry into effect these enumerated powers, and all others conferred upon the said city or its council expressly or by implication in this or any other acts of the legislature, the council shall have power to adopt and enforce all needful orders, by-laws, and ordinances not contrary to the laws and constitution of the State, and to prescribe, impose and enforce reasonable fines and penalties, including imprisonment under judgment and order of the mayor or recorder of said city, or the persons

Powers of council.

Powers of council to adopt and enforce all orders, by-laws and ordinances.

Right to use county jail; when. lawfully exercising their functions, and the council, with the consent of the county court of Kanawha county, entered of record, may have the right to use the jail of said county for any purpose necessary in the administration of its affairs.

Authority to construct wharves and docks.

Power over same

23. It shall be lawful for the council to establish and construct landings, wharves and docks on any ground which does or shall belong to said city, and to repair, alter or remove any building, wharf or dock which has been or shall be so constructed, and to levy and collect a reasonable duty on vessels coming to or using the same; and it shall have power to pass and enforce such ordinances as shall be proper to keep the same in good order and repair, to preserve peace and good order at the same, and regulate the manner in which they shall be used, they shall have power to appoint as many wharf-masters for said city as may appear necessary, to prescribe their duties, fix their fees and make all regulations in respect to such officers as they deem proper.

Annual levy.

24. The council shall cause to be annually made up, and entered upon its journal an account and estimate of all sums which ought to be paid within one year, and it shall order a levy of so much as in its opinion may be necessary to pay the same, not exceeding that allowed by law.

How made.

25. The levy so ordered shall be upon all male persons, residents of said city, over the age of eighteen years, all real and personal estate within such town, subject to state or county taxes.

Licenses.

26. Whenever anything for which a state license is required, is to be done within said city, the council may require a city license to be had for doing the same, and may impose a tax thereon for the use of the city, and the council may in any case require from the person licensed, a bond, with such sureties and in such penalty and with such conditions as it may deem proper, and may revoke such license at any time if the conditions of said bond be broken. And no license to sell strong or spirituous liquors or wine or beer, ale, porter or

drinks of like nature within said city, or within one mile of the corporate limits thereof, shall be granted by the county court of Kanawha county, unless the person applying therefor shall produce to said county court the certificate of the council of said city of its consent to the granting of such license. They may impose a license and assess a tax thereon on all wheeled vehicles for public hire, and upon all dogs kept within the corporate limits.

27. The sergeant shall have the power to collect the city taxes, fines and levies, and shall have the power, one month after he shall have received the books of the assessor of said city, to distrain and sell therefor, in like manner as the sheriff may distrain and sell for state taxes; and shall in other respects have the same powers as a sheriff to enforce the payment and collection thereof and the said sergeant shall have power to exercise within the corporate limits of said city all the duties that a constable can legally exercise in regard to the collection of claims, executing and levying process, and he shall be entitled to the same compensation therefor; except in the case of the arrest of any person for violating any of the ordinances of the council, upon the conviction of said person he shall be entitled to one dollar for such arrest, to be taxed in the costs against the person convicted. And he and his securities shall be liable to all fines, penalties and forfeitures that a constable is legally liable to, for any failure or dereliction in his said office, to be recovered in the same manner and before the same courts that said fines, penalties and forfeitures are now recoverable against constables.

28. There shall be a lien upon real estate within said corporation for the city taxes assessed thereon from the commencement of the year in which they are assessed, and for all other assessments, fines and penalties assessed or imposed upon the owners thereof by the authorities of the city, from the time the same are so assessed or imposed, which lien shall be enforced by the council in same manner as the lien for taxes for county purposes is

Vehicles and dogs.

Sergeant; his powers, duties and liabilities.

Lien on real estate for taxes.

How enforced.

now enforced, or by appropriate suit in any court of record in Kanawha county. The lien aforesaid shall have priority over all other liens, except that for taxes due the State. The lien upon real estate within said corporation for corporation taxes, heretofore assessed thereon and not paid, may be enforced by appropriate suit in any court of record in Kanawha county: Provided, such suits be instituted within five years from the commencement of the year in which such taxes were assessed.

Proviso.

Prohibition of shows.

29. The council may prohibit any theatrical or other performance, show or exhibition, which it may deem injurious to the morals or good order of the city.

Bonds of sergeant and treasurer.

30. The council shall have power to require and take from the sergeant and treasurer, bonds with sureties satisfactory to the council, in such penalty as it may deem sufficient, except that as to the sergeant it shall not be for a penalty less than ten thousand dollars; and said bond shall be conditioned for the true and faithful performance of his duties as sergeant, and for the collecting and accounting for and payment of the taxes, fines and other moneys of the city which shall come into his hands, or which it shall be his duty to collect, at such times and to such persons as the council may order. The treasurer's bond shall be conditioned for the true and faithful performance of his duties as treasurer, and that he will faithfully pay over and account for all moneys that shall come into his hands as treasurer, when and as he shall be thereto required by the council.

Mayor; his powers, duties and compensation.

31. The mayor shall be the chief executive officer of the city, and shall take care that all by-laws, ordinances and orders of the council are faithfully executed. He shall be ex officio a conservator and justice of the peace within the city and shall, within the same, exercise all the powers and duties vested in justices, except that he shall have no jurisdiction as such in civil cases. He shall have control of the police of the city, and may appoint special police officers whenever he deems it necessary; and it shall be his duty especially to see that the peace and good order of said city are preserved, and that the persons and property therein

are protected; and to this end he may cause the arrest and detention of all rioters and disorderly persons in said city, before issuing his warrant therefor. He shall have power to issue execution for all fines, penalties and costs imposed by him, or he may require the immediate payment thereof, and in default of such payment, he may commit the party in default to the jail of Kanawha county until the fine or penalty and costs shall be paid, to be employed during the term of his imprisonment as hereinafter provided; but the term of imprisonment in such cases shall not exceed thirty days. He shall from time to time recommend to the council such measures as he may deem needful to the welfare of the city. He shall receive a compensation for his services to be fixed annually by the council, which shall not be increased nor diminished during the year.

32. The duty of the recorder shall be to keep the journal of the proceedings of the council, and have charge of and preserve the records of the city. He shall attend the mayor in all examinations, receive and issue his orders, swear witnesses and perform all the duties of a clerk in the council and mayor's court. In the absence of the mayor, he shall have all the authority of that officer, and shall exercise the functions of the office of mayor. He shall charge the sergeant with the whole amount of the taxes on the assessor's books, in a book provided for the purpose, and shall give him credit for all the money shown by treasurer's receipts to have been paid to the treasurer, and such other credits as the council may direct or be allowed by law, and shall charge the treasurer in a book provided for the purpose with all the money shown to have been received by him from the duplicate receipts received from the sergeant, and credit him with all the orders issued by authority of the council. He shall receive a compensation for his services to be fixed annually by the council, which shall not be increased or diminished during the year.

33. It shall be the duty of the city sergeant to collect the taxes, fines and other income and revenue of the

Recorder; his duties and compensation.

Sergeant; his further duties, liabilities and compensation.

city, as specified in his bond, and to account for and pay the same to the treasurer at such time as the council may order, and in order that he may do this properly, he shall have a copy of the assessor's books and be charged with the amount of the taxes assessed thereon and also with all licenses granted and fines charged; every six months or oftener if required to do so by the council a delinquent list, to which he shall make oath, of such taxes as he cannot collect; which the council may if they deem it just allow and order him credited therewith. The said sergeant shall do and perform all other acts pertaining to the office of sergeant of a corporation, and of a police officer and constable within said city, and as such, shall have the same powers, duties, fees and liabilities as are by law prescribed to a constable. He shall for his services receive such compensation as shall be fixed by the council.

Treasurer; his duties.

34. All moneys belonging to said city, shall be paid over to the treasurer, and be receipted for in duplicate by him, none of which shall be paid out by him except as the same shall have been approved and ordered to be paid by the council, and the said treasurer shall pay the same upon the certificate of the recorder, or, in his absence, upon the certificate of the mayor.

Treasurer; motion against for failure to account for and pay over all moneys.

35. If the said treasurer shall fail to account for and pay over all or any moneys that shall come into his hands when thereto required by the council, it shall be lawful for the council, in the corporate name of the city, by motion before the circuit or county court of Kanawha county, after ten days previous notice, to recover from the treasurer and his sureties, or their personal representatives, any sum that may be due from said treasurer to said city.

Sergeant; motion against for failure to collect and pay over all taxes.

36. If the sergeant shall fail to collect, account for and pay over all the taxes, fines and other revenue of the town in his hands for collection, according to the conditions of his bond, it shall be lawful for the council to recover the same by motion in the corporate name of the city before the said circuit or county court of Kanawha

county, after ten days notice, against the said sergeant and sureties, or any or either of them, his or their executors or administrators.

37. The said city and the taxable persons and property therein shall be exempt from all expenses or liability for the construction or repair of roads or bridges, or other taxes for county or district purposes, outside the corporate limits of said city, for any year in which it shall appear that said city shall at its own expense provide for its own poor and keep its streets in order. Exemption from road and poor tax.

38. All rights, privileges and properties of the said city heretofore acquired and possessed, owned and enjoyed by any act now in force, shall continue undiminished and remain vested in said city under this act; and all laws, ordinances, acts and resolutions of the council now in force and not inconsistent with this act, shall be and continue in full force and effect until regularly repealed by a council elected as provided under this act. Rights reserved.

39. The council shall adopt all needful and just ward regulations, whether general or special, for the good of the citizens thereof; it shall also authorize street expenditures in the several wards as equity and justice shall demand, and may authorize the collection of a special tax for a specified purpose. Whenever, in the opinion of the council, it becomes necessary to lay off said city into more than three wards, the said council shall so lay it off and apportion the councilmen of said city so that each ward shall be equally represented in the council. Duties of council.

40. The council shall provide for the employment and safe keeping of persons who may be committed for default in payment of fines, penalties or costs under this act, and who are otherwise unable to discharge the same, by putting them to work for the benefit of the city, and to use such means to prevent their escape while at work as they may deem expedient; and shall keep on hand an ample supply of necessary material for the same, and shall provide all necessary tools, implements, fixtures and facilities for the immediate employment of any and all Further duties of council.

such persons; shall fix a reasonable rate per diem as wages to be allowed to any such person until such fine and costs against him are discharged, and the recorder shall keep an account of all fines and penalties so collected and expended.

Act may be amended.

41. This act shall, at all times, be subject to modification or repeal, at the pleasure of the legislature.

Commencement

42. This act shall be in force from the passage thereof.

A. MONROE

Speaker of the House of Delegates.

D. D. JOHNSON

President of the Senate.

OFFICE SECRETARY OF STATE, }
CHARLESTON March 4, 1875. }

[NOTE BY THE SECRETARY OF STATE.—The foregoing act, having been presented to the governor for his approval, and not having been returned by him to the house of the legislature in which it originated within the time prescribed by the constitution of the State, has become a law without his approval.

CHAPTER XL.

AN ACT to establish a county court and a board of commissioners for the counties of Brooke and Hancock, under the thirty-fourth section of the eighth article of the Constitution of the State of West Virginia.

Passed, March 4, 1875.

Be it enacted by the Legislature of West Virginia:

Authority to establish a county court and a board of commissioners for the counties of Brooke and Hancock.

Election of judge;
When.

How commissioned.

1. In the counties of Brooke and Hancock there shall be elected by the qualified voters of each county, on the third Saturday of April, 1875, (of which not less than ten days notice shall be given in the manner prescribed by law for holding general elections,) and on the second Tuesday in October, 1876, and on the second Tuesday in October in every fourth year thereafter, a judge for the county court of said counties, who shall be commissioned

by the governor, who shall hold his office until his successor Term of office. is elected and qualified. His term of office shall be four years, and he shall receive a salary of twelve hundred Salary. dollars a year, to be divided equally between the two counties, and to be paid out of the county treasury of How paid. each in quarterly instalments. A vacancy in said office, Vacancies; how filled. if not more than one year shall remain of the term thereof, shall be filled by the commissioners of said counties jointly—who shall appoint some one learned in the law to fill such vacancy—a majority of whom shall make an appointment to fill said vacancy; but if more than one year of said term shall remain, then shall said appointment be made until the next general election, at which time said vacancy shall be filled by the election of some suitable and fit person learned in the law, by the qualified voters of the counties. The judge of said county court, during his term of office, shall not practice What prohibited from doing during his term of office. the profession of the law, or hold any other office, appointment or public trust, under the authority of this State or any other government, and upon acceptance thereof shall not be during his continuance therein eligible to any other political office. He may be removed How removed from office. from office by a concurrent vote of both houses of the legislature, when from any disease or mental or bodily infirmity, he shall be incapable of discharging the duties of the office in the manner provided by the eighteenth section of the eighth article of the constitution of this State. He shall also be subject to impeachment May be impeached. for malfeasance, maladministration, for corruption, incompetency, gross immorality, neglect of duty, or any high crime or misdemeanor, in the manner prescribed by the ninth section of the fourth article of said constitution, and upon conviction shall be subject to the same judgment as therein prescribed.

2. The county court shall have original jurisdiction in Original jurisdiction of court. all actions at law where the amount in controversy exceeds twenty dollars; and also in all cases of habeas corpus, quo warranto, mandamus, prohibition, certorari, and in all suits in equity. It shall have jurisdiction in all

matters of probate, the appointment and qualification of personal representatives, guardians, committees and curators, and the settlement of their accounts, and in all matters relating to apprentices; and of all criminal cases under the grade of felony, except as hereinbefore provided. But the jurisdiction of the county court shall be subject to such limitations as may be prescribed by law.

May be limited by law.

It shall have the custody, through its clerk, of all wills, deeds, and other papers presented for probate or record in said county, which shall be disposed of or preserved as required by law.

Custody of wills, deeds, &c.

3. The said county court shall have jurisdiction of all appeals from the judgment of justices, and its decisions upon such appeal shall be final in all cases except such as involve the title, right of possession or boundaries of lands, the freedom of a person, the validity of a law or an ordinance of any corporation, or the right of a corporation to levy tolls or taxes.

To have jurisdiction of appeals from justices; and decision final. Exception.

4. There shall be four sessions of said court in each year in each of said counties, and which shall be held for the trial of jury causes, commencing in the county of Hancock, on the third Mondays of February, May, August and November; and in the county of Brooke, on the third Mondays of March, June, September and December, to all of which terms petit jurors, and to one or two of said terms, as the court may order, grand jurors shall be summoned to attend as at terms of the circuit courts for said counties.

Sessions of court

Trial of jury causes.

Petit and grand jurors.

5. The said counties shall be laid off into districts as nearly equal as may be in territory and population. The present subdivisions of the counties by townships shall constitute such districts until changed by the board of commissioners hereinafter mentioned. In each district there shall be elected by the voters thereof, a commissioner, two justices of the peace and two constables, who shall reside in their respective districts, and hold their respective offices, a commissioner for the term of two years and a justice of the peace and constables for the term of four years. The offices of justice of the peace

Counties to be laid off into districts.

Present subdivision to remain until changed by board.

Number of commissioners, justices and constables to be elected.

Their term of office.

What offices not incompatible.

and commissioner shall not be considered incompatible.

6. The commissioners elected in the several districts of each county shall constitute the boards of commissioners to be known as "the board of commissioners of the county of Brooke, and board of commissioners of the county of Hancock," by which name they may sue and be sued, make and use a common seal, and enact ordinances and by-laws not inconsistent with the laws of this State. They shall meet statedly on the first Monday in January, April, June, August, October and December in each year, at the court-house of their county, and may hold special and adjourned meetings at any time after their first meeting after election. They shall elect one of their number president of the board, and the clerk of the county court of each county shall be ex officio clerk of said board of commissioners, who shall keep a journal of their proceedings, including a record of their ordinances, in a volume separate from the journal of proceedings, and transact such other services pertaining to his office as may be by them or by law required; and whose compensation they shall fix by ordinance and pay from the county treasury. The said boards shall each have the superintendence and administration of the internal police and fiscal affairs of the county, including the establishment and regulation of roads, ways, bridges, public landings, ferries and mills; the granting of ordinary and other licenses, with authority to lay and disburse the county levies: Provided, that no license shall be granted in any city, town, or village without the consent of the authorities thereof, the same first had and obtained. All writs of ad quod damnum shall issue from the county court. The board shall, in all contested cases, judge of the election, qualification and returns of its own members, and of all county and district officers; and it shall exercise such other jurisdiction and perform such other duties as may be prescribed by law. The said commissioners shall each receive a compensation of three dollars per day, for every days attendance upon a meeting of the board, to be paid out of the county treasury; but neither shall receive pay

Commissioners elected, to constitute the "Board of Commissioners," how to be known.

Powers of such boards.

When to meet.

Special and adjourned sessions

President of board to be elected; how.

Clerk of county court to be clerk; his duties and compensation.

Jurisdiction and duties of such board.

Proviso as to licenses granted in any city, town or village.

Writs of ad quod damnum; when to issue.

Contested election cases to be determined by board.

Compensation of commissioners.

How paid.

for more than twenty-five days attendance during any one year. Any commissioner may be indicted for malfeasance, misfeasance or neglect of official duty; and upon conviction thereof, his office shall become vacant.

If convicted, vacates his office.

Vacancies; how filled.

A vacancy in the board of commissioners, whether from resignation, removal from the district, removal from office, death or other cause, shall be filled by the remaining members of the board.

Justices and constables elected in August, 1872; terms of office of.

7. The justices of the peace and constables elected in August, 1872, shall hold their respective offices under this act, for the first term thereof.

Election to take sense of the voters upon the question of adoption or rejection of this act, and for the election of officers under it; when and how held.

8. The county courts of Brooke and Hancock counties shall each meet on the third Monday of March, 1875, and appoint three qualified voters at each place of voting, to hold an election on the third Saturday in April, 1875, to take the sense of the qualified voters of said counties upon the question of the adoption or rejection of this act, and for the election of officers under it.

Failing to appoint as required, or failing to act, then voters present at polls may appoint conductors of election.

And should the said county courts each fail to meet and appoint three persons as aforesaid, or being appointed shall fail to act, then the voters present at any poll may appoint three qualified voters to conduct the said election, at which election all the qualified voters of said county shall have the right to vote. Said election shall

Result; how certified and ascertained.

be held according to the laws then in force, and the result shall be certified to the county courts of Brooke and Hancock counties, which courts shall meet on the fifth day after the election, for the purpose of declaring the result and issuing certificates of election to the persons having the highest number of votes for the respective offices; except in the case of the judge of the county court, in which case the said county courts of each county shall certify to the governor of the State the number of votes cast for the several candidates for the said office of judge of said court, and thereupon it shall be the duty of the governor to issue a commission to the candidate receiving the highest number of votes as judge of said court.

Certificates of election; how issued.

Governor to commission the person elected as judge.

Majority vote determines question.

9. If it appears that a majority of all the votes of Hancock county, and a majority of all the votes of

Brooke county, cast upon the question of adoption or rejection of this act, are in favor of its adoption, then the same shall take effect and be in force on and after the twentieth day after the vote is taken upon this act; and all officers elected under it shall qualify within twenty days after the result of said election is declared.

When to take effect.

When officers to qualify.

A. MONROE

Speaker of the House of Delegates.

D. D. JOHNSON

President of Senate.

[Note by the Secretary of State.]

OFFICE OF SECRETARY OF STATE, March 4, 1875.

The foregoing act having been presented to the governor for his approval, and not having been returned by him to the house of the legislature in which it originated, within the time prescribed by the constitution of the State, has become a law without his approval.

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from the date of the certificate of the secretary of state, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

CHAPTER XLI.

AN ACT to establish a county court and a board of commissioners for the county of Mineral under the thirty-fourth section of the eighth article of the constitution of the State of West Virginia.

Passed March 4, 1875

Be it enacted by the Legislature of West Virginia :

1. In the county of Mineral there shall be elected by the qualified voters thereof, on the second Tuesday in October, 1876, and on the second Tuesday in October in every fourth year thereafter, a judge for the county court of said county, who shall be commissioned by the governor. His term of office shall be four years, and he

County court of Mineral; judge therefor to be elected; when.

To be commissioned by the governor.

Term of office.

His salary.
How paid.

shall receive a salary of twelve hundred dollars a year to be paid out of the county treasury in quarterly instalments. A vacancy in said office, if not more than one year shall remain of the term thereof, shall be filled by the commissioners of the county, by the appointment of some suitable and fit person, learned in the law; but if more than one year of said term shall remain, then shall said appointment be made until the next general election, at which time said vacancy shall be filled by the election of some suitable and fit person, learned in the law, by the qualified voters of the county. The judge of

During term of office, not eligible to any other office, nor permitted to practice his profession.

said county court, during his term of office, shall not practice the profession of the law, or hold any other office, appointment or public trust under the authority of this State or any other government, and upon acceptance thereof, shall not be, during his continuance therein, eligible to any other political office. He may be removed from office by a concurrent vote of both houses of the legislature, when from any disease, or mental or bodily infirmity, he shall be incapable of discharging the duties of the office in the manner provided by the eighteenth section of the eighth article of the constitution of this State. He shall also be subject to impeachment for malfeasance, maladministration, for corruption, incompetency, gross immorality, neglect of duty or any high crime or misdemeanor in the manner prescribed by the ninth section of the fourth article of said constitution, and upon conviction shall be subject to the same judgment as therein prescribed.

May be removed from office; how and for what.

May be impeached; how and for what.

Original jurisdiction of court.

2. The county court shall have original jurisdiction in all actions at law, where the amount in controversy exceeds twenty dollars; and also in all cases of habeas corpus, quo warranto, mandamus, prohibition, certiorari, and in all suits in equity. It shall have jurisdiction in all matters of probate, the appointment and qualification of personal representatives, guardians, committees and curators, and the settlement of their accounts, and in all matters relating to apprentices; and of all criminal cases under the grade of felony, except as hereinbefore pro-

vided. But the jurisdiction of the county court shall be subject to such limitations as may be prescribed by law. Subject to limitations as may be provided by law.
 It shall have the custody, through its clerks, of all wills, deeds and other papers presented for probate or record in said county, which shall be disposed of or preserved as required by law. Shall have custody of all wills, deeds, &c., presented for probate or record.

3. The said county court shall have jurisdiction of all appeals from the judgment of justices, and its decision upon such appeal shall be final in all cases except such as involve the title, right of possession or boundaries of lands, the freedom of a person, the validity of a law or an ordinance of any corporation, or the right of a corporation to levy tolls or taxes. Has jurisdiction as to appeals from the judgment of justices and decision in such cases final; Exception.

4. There shall be four sessions of said court in each year, and shall be held for the trial of jury causes, commencing on the first Tuesday of January, April, July and November, to which terms petit jurors shall be summoned to attend as at terms of the circuit court for said county; and to one or two of said terms as the court may order, grand jurors shall be summoned. Number of sessions of court in each year. When held for jury cases. Petit and grand jurors.

5. The said county shall be laid off into not less than six districts, as nearly equal as may be in territory and population. The present sub-divisions of the county by districts, shall constitute such districts until changed by the board of commissioners hereinafter mentioned. In each district there shall be elected by the voters thereof, a commissioner, two justices of the peace and two constables, who shall reside in their respective districts and hold their respective offices, a commissioner for the term of two years, and a justice of the peace and constables for the term of four years. The offices of justice of the peace and commissioner shall not be considered incompatible. County to be divided into districts. Present sub-division of county by districts to remain until changed by board of commissioners. Number of commissioners, justices and constables to be elected. Their term of office. What offices not incompatible.

6. The commissioner elected in the several districts shall constitute a board to be known as "the board of commissioners of the county of Mineral," by which name they may sue and be sued, make and use a common seal, and enact ordinances and by-laws, not inconsistent with the laws of this State. They shall meet statedly Commissioners elected to be known as the "board of commissioners of the county of Mineral." Their powers. Meetings of board.

on the first Monday in February, April, June, August, October and December in each year at the court-house of their county, and may hold special and adjourned meetings at any time after their first meeting after election. They shall elect one of their number president of the board, and the clerk of the county court of said county shall be ex-officio clerk of the board of commissioners, who shall keep a journal of their proceedings, including a record of their ordinances, in a volume separate from the journal of their proceedings, and perform such other services pertaining to his office as may be by them, or by law, required; and whose compensation they shall fix by ordinance and pay from the county treasury. The said board shall have the superintendence and administration of the internal police and fiscal affairs of the county including the establishment and regulation of roads, ways, bridges, public landings, ferries and mills, the granting of ordinary and other licenses, with authority to lay and disburse the county levies; Provided, that no license shall be granted in any city, town or village, without the consent of the authorities thereof, the same first had and obtained. All writs of ad quod damnum shall issue from the county court. The board shall, in all contested cases, judge of the election, qualification and returns of its own members, and of all county and district officers; and they shall exercise such other jurisdiction and perform such other duties as may be prescribed by law. The said commissioners shall each receive a compensation of three dollars per day for every days attendance upon a meeting of the board, to be paid out of the county treasury, but neither shall receive pay for more than twenty-five days attendance during any one year. Any commissioner may be indicted for malfeasance, misfeasance or neglect of official duty; and upon conviction thereof, his office shall become vacant. A vacancy in the board of commissioners, whether from resignation, removal from the district, removal from office, death or other cause, shall be filled by the remaining members of the board.

To elect one of their number president.

Clerk of county court to be clerk of board.

His duties, and compensation.

Jurisdiction and duties of board.

Provision as to licenses granted in any city, town or village.

Writs of ad quod damnum; where to issue from.

Power of board in contested election cases.

Compensation of commissioners.

May be indicted; if convicted, office vacated.

Vacancies in board; how filled.

7. The justices of the peace and constables elected in August 1872, shall hold their respective offices under this act for the first term thereof.

Term of office of justices and constables elected in August, 1872.

8. If it appears that a majority of all the votes cast upon the question of the adoption or rejection of this act, are in favor of its adoption, then the same shall take effect, and be in force on and after the twentieth day after the vote is taken upon this act, and all officers elected under it shall qualify within twenty days after the result of said election is declared.

Majority vote determines question.

Shall take effect When.

When officers to qualify.

A. MONROE,

Speaker of the House of Delegates.

D. D. JOHNSON,

President of Senate.

[Note by the Secretary of State].

OFFICE OF THE SECRETARY OF STATE, }
March 4, 1875. }

The foregoing act having been presented to the governor for his approval, and not having been returned by him to the house of the legislature in which it originated, within the time prescribed by the constitution of the State, has become a law without his approval.

CHAPTER XLII.

AN ACT concerning persons committed to jail in one county and transferred to the jail of another county.

Approved, December 7, 1875.

Be it enacted by the Legislature of West Virginia:

1. That section forty-two, of chapter forty-one, of the Code of West Virginia, concerning sheriffs and jailors; the service and return of process, and property exempt from execution, be and the same is hereby amended and re-enacted so as to read as follows:

Code amended.

When persons committed in one county may be confined in jail of another county.

"42. When a county is without a sufficient jail, or its jail is to be removed, rebuilt or repaired, the circuit or county court thereof may adopt as its jail, the jail of another county, until a sufficient jail is obtained by building or repairing; and persons committed, or to be committed to the jail of the first mentioned county at or after such adoption, and before a sufficient jail is so obtained, shall be conveyed to the jail so adopted."

Commencement

2. This act shall take effect from its passage.

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

CHAPTER XLIII.

AN ACT to amend and re-enact sections one, two and four of chapter sixty-one of the Code, concerning estrays and drift property.

Approved, December 14, 1875.

Be it enacted by the Legislature of West Virginia:

Code amended.

1. That sections one, two and four of chapter sixty-one of the Code shall be amended and re-enacted so as to read as follows:

Who may take up estrays and drift property.

Information thereof to be given to justice; his duty thereon.

"1. Any person may take up any estray found on his land, or a boat or vessel adrift. He shall immediately inform a justice of the county thereof, who shall issue his warrant to three freeholders, requiring them under oath, to view and appraise such estray, or boat or vessel, and certify the result, with a description of the kind, marks, brand, stature, color and age of the animal, or kind, burden and build of the boat or vessel."

Certificate of appraisalment; to whom returned and proceeding thereon.

"2. The said freeholders shall return their certificate, with the warrant, to the clerk of the county court of the county, who shall record the same in a book kept for

that purpose, and post a copy thereof at the door of the court house of the county on the next succeeding court day after receiving the said certificate."

- "4. The former owner may, at any time after, recover the valuation money, except the amount of the clerk's and printers fees, and such compensation for keeping the property as shall be certified under oath, by any two freeholders in the county where the property was valued, to be reasonable."

Former owner
may recover val-
uation, except
fees &c.

CHAPTER XLIV.

AN ACT providing for the appointment of a State Board of Centennial Managers, prescribing their duties and appropriating money to defray the expenses of the Commission.

A State Board o

Approved, December 14, 1875.

1. That there shall be a State Board of Centennial Managers, consisting of the United States Centennial Commissioners for the State of West Virginia, and five persons appointed by the governor of the state, who shall fill any vacancy that may occur in said Board.

Centennial
Managers :
State board of.

Of whom to
consist : how
appointed ;
vacancies how
filled.

2. That the Board shall appoint one or more persons in each county of the state for the purpose of collecting materials for exhibition at the centennial exhibition to be held in the city of Philadelphia in 1876, and it shall cause to be printed such proper blanks and circulars as may be necessary for instruction and guidance in collecting and forwarding specimens, employ agents to classify, arrange and prepare for exhibition, all materials, whether natural, scientific or mechanical, which may be available for, and significant of the resources of West Virginia, and do all things which, in the judgment of the board, may best serve to promote the interests of the State at the Centennial.

Duty of board a.
to collecting &c
forwarding and
classifying
materials.

\$20,000 appropriated to defray actual expenses.

How drawn and disbursed.

To be audited and approved by the Governor

Managers to render an account of their disbursement to the Governor.

Governor to report the same to the Legislature.

Commencement

3. That the sum of twenty thousand dollars be, and the same is hereby appropriated to carry out the provisions of this act to be drawn by order of, and disbursed by, the governor to the said State Board of Centennial Managers, on its requisition, for the defraying of the actual expenses incurred by it. Provided, that all bills and accounts before paid shall be audited and approved by the governor.

4. That the said State Board of Centennial Managers shall render an account of their disbursements of the money so drawn by them, to the governor, as provided for in the last section, who shall report to the next Legislature.

5. This act shall take effect from its passage.

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

CHAPTER XLV.

AN ACT to amend and re-enact section six of chapter sixty-nine of the Code, concerning escheats and property forfeited to the state or derelict.

Approved, December 14, 1875.

Be it enacted by the Legislature of West Virginia:

Inquest to be returned and recorded; how and when.

"6. When the inquest is ended and a verdict concurred in by the jurors impaneled, or twelve of them, it shall be signed by those so concurring, and by the escheator, and he shall, within thirty days, return to the clerk of said circuit court, who shall within thirty days after receiving it, deliver a copy thereof to the clerk of the county court, who shall record the same.

CHAPTER XLVI.

AN ACT to amend and re-enact section four of chapter one hundred and forty-nine of the code, concerning unlawful marriages.

Approved, December 14, 1875.

Be it enacted by the Legislature of West Virginia :

1. That section four of chapter one hundred and forty-nine of the code be amended and re-enacted so as to read as follows : Code amended.

“4. If any clerk of the county court knowingly issue a marriage license contrary to law, he shall be confined in jail not more than one year, or fined not exceeding five hundred dollars or both at the discretion of the jury.” Issuing marriage licenses contrary to law; penalty for.

CHAPTER XLVII.

AN ACT to amend and re-enact section twenty-four of chapter forty-seven of the Code of West Virginia.

Approved, December 18, 1875.

Be it enacted by the Legislature of West Virginia :

1. Section twenty-four of chapter forty-seven of Code of West Virginia, is hereby amended and re-enacted so as to read as follows : Code amended.

“24. The council shall be presided over at its meetings by the mayor, or in his absence by the recorder ; or in the absence of both mayor and recorder, by one of the councilmen selected by a majority of the council present ; and a majority of the council shall be necessary to form a quorum for the transaction of business. But no member of any council of any city, town or village, heretofore, or that may be hereafter incorporated, shall vote upon any order, measure, resolution, or proposition, in which he may be interested, other than as any other citizen of such city town or village.” Meeting of Council how presided over. Quorum. Vote of member of Council when interested.

CHAPTER XLVIII.

AN ACT relating to insane convicts in the Penitentiary.

Approved, December 18. 1875.

Be it enacted by the Legislature of West Virginia :

Insane convicts
in the peniten-
tiary ; duty of
Superintendent
and proceedings
in relation to.

That where any lunatic is to be discharged from the penitentiary, or when any convict becomes hopelessly insane before his or her term of sentence expires, it shall be the duty of the superintendent to notify a justice of Marshall county, of the time that such discharge will be made, or that such convict is considered to be hopelessly insane, when it shall be the duty of the justice to whom such information is given to proceed with such person as provided for under chapter fifty-eight, of the Code of West Virginia, relating to persons suspected of lunacy.

CHAPTER XLIX.

AN ACT to repeal an act, entitled "An act authorizing the mayor and city council of the city of Parkersburg, and the Board of Supervisors of Wood county, West Virginia, to lend their bonds for manufacturing purposes," passed December 15, 1868.

Approved, December 18, 1875.

Be it enacted by the Legislature of West Virginia :

Act repealed
authorizing the
mayor and coun-
cil of Parkers-
burg &c., to
lend their bonds

1. That the act passed December 15, 1868, entitled, "An act authorizing the mayor and city council of the city of Parkersburg, and the board of supervisors of Wood county, West Virginia, to lend their bonds for manufacturing purposes," be and the same is hereby repealed.

CHAPTER L.

AN ACT to authorize the establishment and maintenance of infirmaries, houses of correction and work-houses in certain counties, cities and towns.

Approved, December 18, 1875.

Be it enacted by the Legislature of West Virginia :

1. Cities or towns having a population of not less than five thousand inhabitants shall have power to establish and maintain an infirmary for the accommodation of the poor of the city, either within or without the limits of the city, and to provide for the distribution of out-door relief to the poor.

Infirmaries; what cities or towns may establish and maintain.

2. The council of any such city or town shall have power to establish and maintain, either within its limits or within the county in which it is situated, a house of refuge or a house of correction, and a work-house or either of them, and place the same under the management and control of such directors, superintendents and other officers as the council may, by ordinance provide.

Houses of refuge, of correction and work houses; power to establish and maintain.

3. All children under the age of sixteen years, who shall be convicted of any offense made punishable by imprisonment under any ordinance of said city or town, or who shall be liable to be committed to prison under any such ordinance, may be confined in such house of refuge, and may be there kept or apprenticed out, under such rules as the directors of the house of refuge may prescribe, until they arrive at the age of eighteen years, unless for good cause sooner discharged by law. Any person over the age of sixteen years convicted of the violation of any ordinance of any such city or town, and liable to be punished therefor by imprisonment, may in lieu thereof be committed to the house of correction or to the work-house as may be provided by ordinance.

Who may be confined in houses of refuge or apprenticed out.

When to be discharged.

Who may be committed to houses of correction or work houses.

4. The board of directors of any house of refuge, established by any such city or town, are authorized to appoint a committee of one or more of their own number with power to execute and deliver on behalf of said board, deeds of apprenticeship for any inmate of said

Board of directors, of any house of refuge, authorized to appoint a committee with power to execute deeds of apprenticeship.

Force and effect thereof.

Where filed and kept.

Inmates to be re-committed to the institution; when.

County courts or police and fiscal tribunals have power to use houses of refuge &c., for children or persons who shall be convicted of any offense not of the grade of felony.

Provided, they maintain a just proportion of the expenses.

Appointment of directors, officers &c., by such county authorities.

institution whom they may deem a proper person for an apprenticeship to a trade or occupation, to such person as said committee, or the board may select, and said deeds shall have the like force and effect as other deeds of apprenticeship under the laws of this State, and said deeds shall be filed and kept in said institution by the superintendent thereof, and it shall not be necessary to file the same in any other place or office.

5. When any inmate of said institution shall have been apprenticed and prove untrustworthy and unreformed, he or she shall be re-committed to the said institution to be held in the same manner as before said apprenticeship.

6. The county court or police and fiscal tribunal of any county in which said city or town is situated, and wherein such house of refuge or house of correction and work-house may be established as aforesaid, shall have power to use the said house of refuge or house of correction, or work-house for children or persons of the age hereinbefore mentioned, who shall be convicted in said county in any court thereof, of any offense not of the grade of felony under the laws of this State; provided, said county or police and fiscal tribunal shall maintain its just proportion of the expense of such house of refuge, house of correction, or work-house, to be levied for and paid out of the county treasury. And when such houses are so adopted by such county authorities, they shall have the right to the appointment of such member of the board of directors, superintendents and officers of said houses as may be determined by the agreement of such council and such county authorities.

CHAPTER LI.

AN ACT making appropriations of public money to pay members and officers of the Legislature, committee clerks and pages mileage and per diem for the adjourned session, commencing on the 10th day of November, 1875.

Approved, December 18, 1875.

Be it enacted by Legislature of West Virginia:

1. That so much of the public taxes and arrears of Fund to pay members and officers of the legislature for adjourned session. taxes and all other sources of revenue which may have been received into the public treasury since the first day of October, 1875, and which may be received therein prior to the first day of October, 1876, which may be necessary for the pay of members and officers of the legislature, committee clerks and pages, be, and the same is hereby appropriated for that purpose.

Senate.

To pay mileage allowed to the members of the Senate Mileage of Senators. for the [adjourned session, commencing November 10, 1875, eight hundred and forty-three dollars and ninety cents.

To pay per diem compensation of the twenty-four Per diem of senators. members of the senate for said session, four thousand three hundred and twelve dollars.

To pay per diem compensation, to the officers, committee clerks and pages, and their mileage, to-wit: Per diem and mileage of officers &c., of Senate. per diem, that is to say, to the clerk of the Senate, five hundred and forty dollars; to his assistant, two hundred and sixty-four dollars; to pay committee clerks, five hundred and twenty-eight dollars; pages, three hundred and ninety-six dollars; to pay sergeant-at-arms and doorkeeper, three hundred and ninety-six dollars; mileage, four hundred and thirty-six dollars.

House of Delegates.

To pay mileage of the sixty-five members of the House Mileage of delegates. of Delegates for the adjourned session, commencing November 10, 1875, two thousand four hundred and thirteen dollars and thirty cents.

To pay the per diem compensation of the members of the Per diem of delegates. House of Delegates for said session, eleven thousand two hundred and sixty-four dollars.

Per diem and mileage of officers &c., of the House of Delegates.

To pay per diem compensation of the officers, committee clerks and pages, and their mileage, to-wit: that is to say, to the clerk of the House of Delegates five hundred and forty dollars; to four assistant clerks, two hundred and sixty-four dollars each, ten hundred and fifty-six dollars; to pay four committee clerks one hundred and seventy-six dollars each, seven hundred and four dollars; sergeant-at-arms and doorkeeper, three hundred and ninety-six dollars; pages, five hundred and twenty-eight dollars; mileage, one thousand and seventy-two dollars and forty cents.

To pay members, officers and clerks of Senate during trial of articles of impeachment against Auditor and Treasurer; also managers on the part of the House.

To pay senators the compensation allowed by law during the trial of the articles of impeachment against Jolin S. Burdett and E. A. Bennett, and to pay the managers of said impeachment on the part of the House of Delegates, and the officers and clerks in attendance upon the senate during said trial, five thousand dollars, or such other or further sums as may be necessary for that purpose.

Money not drawn without fiscal year, not thereafter to be drawn without authority of law

2. Be it further enacted, that all moneys hereby appropriated, to be used within said fiscal year, and not drawn within the period of said fiscal year, ending on the 30th day of September, 1876, shall not be thereafter drawn without authority of law; but to pay the same, the auditor is hereby authorized and required to issue his warrant on the treasury in the same manner he would be required to do if each item of expenditure was directed to be paid to a creditor by name; and no money shall be drawn from the treasury beyond the appropriations hereby made, unless the same is authorized by the constitution or by some general law not provided for in this act

Auditor authorized to pay.

No money beyond the appropriation to be drawn.

NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

CHAPTER LII.

AN ACT amending and re-enacting section four of chapter one hundred and fifty of the Acts of the Legislature of 1872-3, for the discharge of prisoners from jail confined on charges of bastardy.

Approved, December 18, 1875.

Be it enacted by the Legislature of West Virginia :

1. That section four of chapter one hundred and fifty of the acts of the legislature of 1872 and 1873 be amended and re-enacted so as to read as follows : Acts 1872-3 amended.

“4. If the accused appear and plead not guilty, the issue shall be tried by a jury, and if he be found guilty, the court shall order him to pay to the overseers of the poor of the county, for the maintainance of the child, such sums as it may deem proper for each year, until such time as the court may appoint, unless it sooner die ; and shall order the father to give a bond in such penalty and with such sureties as it may deem sufficient for the performance of said order ; and shall order him to jail until such bond be given in the court or filed in the clerk's office, with sufficient sureties, to be approved by the clerk, or the woman and the said overseers of the poor consent to his discharge, or until he be discharged by an order of the circuit or county court, the court being satisfied that the prisoner cannot pay the judgment of the court or give the bond required, or he be otherwise legally discharged ; and if found not guilty by the jury he shall be discharged, and shall recover his costs against the party in whose name the proceedings are had. Bastardy, plea of not guilty : proceeding therein.

Accused if found guilty to give bond, and committed if not given.

When to be discharged.

If not guilty to be discharged and recover costs.

CHAPTER LIII.

AN ACT for the relief of Evan Hinton, Sheriff of Summers county.

Approved, December 20, 1875.

Be it enacted by the Legislature of West Virginia :

1. That the sum of one hundred and forty-six dollars and eighty-five cents, is hereby appropriated, out of any Appropriation to pay sheriff of Summers

county for taxes
improperly
charged against
him.

Auditor author-
ized to pay.

money in the treasury not otherwise appropriated, for the payment in full of Evan Hinton, sheriff of Summers county, for taxes improperly charged against him as such sheriff for the years 1871, 1872 and 1873.

2. The auditor is hereby directed to draw his warrant on the treasury for the amount hereby appropriated in favor of said Hinton.

CHAPTER LIV.

AN ACT to amend re-enact the twenty-ninth chapter of the Code, concerning the assessment of taxes.

Approved, December 20, 1875.

Be it enacted by the Legislature of West Virginia :

Chapter 29 of
Code amended.

1. That chapter twenty-nine of the Code, be amended and re-enacted so as to read as follows :

ASSESSMENT OF TAXES.

Number of assessors ; assessment districts.

Assessment
districts, and
number of
assessors elected
in each county.

1. There shall be two assessment districts in each of the counties of Barbour, Berkeley, Cabell, Greenbrier, Hampshire, Harrison, Jackson, Jefferson, Kanawha, Lewis, Lincoln, Mason, Marion, Marshall, Mineral, Monongalia, Monroe, Ohio, Preston, Randolph, Ritchie, Roane, Upshur, Wood and Wayne. Every other county shall constitute one assessment district, and the voters of each county shall hereafter elect one assessor for every district therein.

Boundary lines
of districts in
counties having
more than one
district ; county
court to lay off
or change.

2. When there is more than one district in a county, the county court may, by order lay off and change the boundary between such districts ; but in laying off or changing the said boundary no district shall be divided.

Authority of
assessor con-
fined to his
district ;
exception.

3. The authority and duty of an assessor shall not extend beyond his district, except to grant license for a privilege which may lawfully be exercised in or out of the district.

Removal of assessors on complaint of the auditor.

4. The auditor shall communicate to the county court of the county, any instances of misconduct or official neglect on the part of any assessor of such county, and any evidence of his incompetence, which may appear from the books and papers in the auditors office; and the court shall proceed to investigate the same, and may remove the assessor from office, pursuant to the seventh section of the seventh chapter.

How assessor removed from office.

Forms and instructions to be furnished by the auditor to assessors.

5. The auditor shall prepare and forward to the assessors printed forms for the land and personal property books, and also for the lists of taxable subjects to be furnished by assessors to persons chargeable with taxes. He shall also, by letter or printed circular, give such instructions to the assessors respecting their duties as may seem to him judicious; and if any assessor fail to obey such instructions so far as they are not contrary to law, he shall forfeit not less than ten nor more than thirty dollars.

Auditor to prepare and forward to assessors from and instructions; penalty for failure to obey instructions.

Books and papers of his predecessor.

6. The assessor shall apply for the official books and papers which his predecessor had, to the person in possession thereof; and if such person fail or refuse to deliver the same, he shall forfeit one hundred dollars.

Assessor shall apply for books and papers which his predecessor had; penalty for failure or refusal to deliver same.

7. The auditor, on being informed that such official books and papers cannot be obtained, may authorize the assessor to procure substitutes therefor, or copies thereof, and the person furnishing the same shall be paid such fee therefor, out of the county treasury, as the county court may deem reasonable.

When such books &c., can not be obtained, auditor to procure substitutes or copies thereof; how paid for.

Correction of mistakes in land books.

8 Any person aggrieved by any entry in the land books may apply to the county court of the county in which the land is assessed for taxation for relief; and if it appears

Relief of person aggrieved by entry in land books.

County court to correct improper entries.

Proceedings in cases where county court refuse relief.

If more than one district in county; how court to equalize.

Appeal.

To equalize value of lands between the several counties. Commissioners; appointment of.

When and where to assemble.

Their duties.

Authority to diminish or increase the average value per acre of lands.

that any person so applying for relief, is im-
properly charged with any tract of land in quanti-
ty, value or in any other manner, the court shall correct
the same. If it be in value, it shall be determined by
the value of contiguous lands similarly situated. In any
case if the court shall refuse relief, the party aggrieved
may introduce testimony and have it certified by said
court, or the person presiding over any tribunal estab-
lished for police and fiscal purposes in lieu of a county
court when the application by the person aggrieved is
made to such tribunal, and bills of exceptions shall be
signed by the court, or by the person presiding over such
tribunal, if the same be required by reason of their
rulings or decisions. If there be more than one district
in a county, and the average value of lands be unequal
or unjust, the court may, by a rate per centum, equalize
the same by orders entered of record; but no order so
entered shall preclude the court from granting relief in
individual cases; and appeals, writs of error or superse-
deas to the circuit court shall lie to any final ruling or
decision of the county court. In order to equal-
ize the value of lands between the several coun-
ties of this state under the recent re-assessments,
it shall be the duty of the Governor, by and with
the advice and consent of the senate (a majority of
of all the senators elected concurring by yeas and nays),
if the senate be in session, or if not to be appointed with-
out their approval, to appoint three commissioners, whose
duty it shall be to assemble in the city of Wheeling with-
in four months after their appointment, and then and
there examine the assessed value of lands in the several
counties under the re-assessment aforesaid, and to com-
pare the same with former assessments, and equalize the
same according to the true, and relative value thereof
between the several counties, cities and towns; and to
that end may receive evidence, and by order direct the
average value per acre of lands to be increased or dimin-
ished on or from the last assessment; and the assessors
shall reform their books according to the order of said
commissioners. The commissioners shall receive for

their services the same mileage and per diem as members of the legislature, to be paid by the governor out of the contingent fund; and they may appoint a clerk a compensation not exceeding the compensation of the assistant clerk of the senate or house of delegates, to be paid as aforesaid.

Compensation.

How paid.

May appoint a clerk.

His compensation.

9. The assessor, in making out his land book, shall in all respects correct the same, as directed by the county court or by the circuit court, on appeal or supersedeas, and shall correct every other mistake he may discover in the original land books, and if any taxes have been omitted for a former year, he shall enter the same, with lawful interest thereon, for collection.

Assessor to correct land book how and when.

Also, to enter taxes omitted in former years, &c.

10. When the assessor shall ascertain that there is any land in his district which has not been entered in his land book, or after being so entered, has from any cause been omitted for one or more years, he shall make an entry thereof, and of the name of the owner; and if there be no assessment of the same, shall proceed to make such assessment, to the best of his judgment, by reference to the assessed value of contiguous land similarly situated, and shall charge the same with all the taxes which should have been charged or collected thereon since the twentieth day of June, 1863, with lawful interest thereon. Any assessor failing to make such entry and assessment shall forfeit twenty dollars. But this section shall not be construed to require any such assessment in counties in which the same has been dispensed with by law.

Assessor to enter and assess lands not on assessor's books and not before assessed.

How assessed.

Penalty for failure.

Exception as to certain counties

11. If any land which ought to be assessed in one assessment district be assessed in another the assessor in whose book it has been erroneously entered shall certify the owner's name, and the quantity, description and assessed valuation of such land to the proper assessor, who shall enter the same in his book, and charge the tax thereon; and the assessor in whose book it was erroneously entered shall strike the same therefrom, on being informed of the entry thereof by the proper assessor.

Duty of assessor in cases where lands are not assessed in proper assessment district; also where assessed in wrong district.

If land which ought to be assessed in one district be assessed in another, the assessor shall make the proper transfer.

Same duties where boundaries of counties or districts are changed, or new counties created

12. The regulations contained in the preceding section shall be held applicable in cases where the boundaries of counties or districts are changed, or a new county or district has been created.

Change of ownership or valuation, general rule respecting.

Land correctly charged not to be transferred or re-assessed, except as provided by law.

13. Land which has been correctly charged to one person upon the land book shall not afterwards be transferred to another, or the valuation assessed thereon be changed, until a general re-assessment be ordered by the legislature, except as provided in this chapter.

List of deeds, etc., to be reported to the assessors.

Duty of clerks of county courts to certify list of all deeds to assessor.

14. Every clerk of the county court shall annually, in the month of January make out a list of all deeds for the partition or conveyance of lands, (except mortgages and deeds of trust to secure the payment of debts) which have been admitted to record in his office, and have not before been reported to the proper assessor. The list shall state the date of each deed, when admitted to record, names of grantors and grantees, the quantity of land lying within the county thereby conveyed; and a description of said land. *Provided*, that where separate deeds have been taken from different persons, for the same tract or a part of a tract of land in order to perfect the title thereto, the clerk shall only include in such list the deed which includes the whole tract.

What lists shall state.

Proviso in case of several deeds for same lands.

Duties of clerks of circuit and municipal courts as to lists of certain judgments and decrees; contents of such lists.

15. The clerk of every circuit, county and municipal court shall annually, in the same month, make out lists of all judgments and decrees for the partition or recovery of lands which have been rendered by their respective courts, and have not been before reported to the proper assessor, stating in such list the date of the judgment or decree in each case, the land recovered and by whom, or the land which was divided, and between whom and in what parcels.

16. The clerk of the county court shall annually, in the same month, make out a list of all lands absolutely devised by wills recorded in his office and not before reported to the proper assessor, stating in such list the date of the will in each case, when admitted to record, the names of the deviser and devisee, and a description of the land devised.

Clerk of county court to certify to assessor list of lands devised by wills; what list to contain.

17. Every list mentioned in the three preceding sections shall be delivered by the officer making it, to the assessor for his county; or if there be more than one assessor for such county, to one of them, and to the other a copy or so much thereof, at least, as relates to the lands within his district.

Office certifying such lists to deliver copy to assessor.

Where there is more than one assessor in county.

18. The secretary of the state shall annually, in the month of January, make out and forward to the clerk of the county court of each county, an abstract of all grants issued by the state for land lying in such county, not previously reported for assessment. And the clerk of the county court, immediately on the receipt of such abstract, shall make out and deliver an attested copy of the same to the assessor, or if there be more than one, to each of the assessors of the county within whose district any parcel of said lands may lie, and shall file the original in his office.

Grants issued by the state for lands; duty of Secretary of State in relation to

Duty of clerk of court on receiving abstract.

19. If any officer fail to perform any duty required of him by the five preceding sections, he shall forfeit not less than ten nor more than fifty dollars for every such failure.

Penalty for failure to discharge any duty required by five preceding sections.

20. Any party interested may procure, at his own cost, a certified copy or statement of any deed, judgment, decree, devise or grant, and deliver the same to the proper assessor; and the assessor may examine original deeds or the records of the county, to ascertain to whom any parcel of land is properly chargeable, or its description or quantity.

Copy of deed, decree &c., how procured, delivery thereof to assessor; his duty thereon.

Change of ownership or value; how entered by the assessor.

21. Such changes as happen within the district of any assessor shall be noted by him in his land book as follows:

Certain changes to be noted by assessor.

To enter lands appearing by abstract of secretary of state to have been granted and to assess the same.

Penalty for failure.

Real estate purchased for state at sale for taxes: not to be entered.

Auditor to keep register.

When such estate redeemed what then.

When real estate sold to an individual for taxes; what then.

Lands specified in lists &c., to be transferred to proper owners.

Where land becomes the property of different individuals, assessor to divide the value.

How such divisions may be corrected by assessor.

22. He shall enter in his land book all lands in his district appearing by the abstract of the secretary of state to have been granted and not previously entered, and assess the value thereof with reference to the assessed value of contiguous land similarly situated. If he fail to enter any grant mentioned in the said abstract in the first land book made out after such abstract is received by him, he shall forfeit twenty dollars.

23. Real estate purchased for the state at a sale for taxes shall not be thereafter entered in the land book, but the auditor shall keep a register thereof. But when any real estate so purchased appears by the auditor's certificate to have been redeemed, the same shall be replaced in the land book in the name of the former owner or his grantee. When real estate is sold to an individual for taxes, the assessor shall note in his land book the number of acres sold and to whom, but shall continue the land upon said book in the name of the former owner, until the purchaser obtains a deed therefor.

24. The lands specified in the lists, copies, deeds records, abstracts and statements mentioned in the fourteenth, fifteenth, sixteenth, eighteenth and twentieth sections of this chapter, shall be transferred in the land book to the persons who appear thereby to be the owners thereof.

When a tract is divided; surface land and minerals under the same.

25. When a tract or lot of land becomes the property of different owners in several parcels, or one person becomes the owner of the surface and another of the minerals under the same, the assessor shall divide the value at which the whole had before been assessed among the different owners, having regard to the value of each interest compared with that of the whole. If any person interested be dissatisfied with the division so made, he may apply to the assessor to correct the same, and the assessor, giving ten day's notice to the parties concerned or such of them as are found in his assessment district,

shall make a re-apportionment or confirm the division before made, according to the best of his information and judgment. Any party having given like notice, may apply to the county court of the county to review the assessor's decision, and the court, if satisfied that such decision is erroneous, may correct the same, and order the proper apportionment to be entered on the land book.

How assessors decision reviewed by county court.

Lands of a deceased person.

26. When the owner dies intestate, his undivided real estate may be listed to his heirs without designating any of them by name, until they shall have given notice to the assessor of the proper district, of the division of the same, the names of the several heirs, and the parcels allotted to each; and each heir shall be liable for the whole tax assessed upon such land while it is so listed; but when he pays the same, he may recover of the others their proper proportion of the amount so paid, and the proportion thereof for which such other or others are liable shall be a lien on the interest owned by him or them in such lands; and such liens, when the amount so paid exceeds twenty dollars in all, may be enforced in a court of equity. Where the owner has derived the lands or a freehold estate therein absolutely, the assessor shall charge such land to the devisee. If, under the will, the land is to be sold, it shall continue to be charged to the decedent's estate, and the assets in the hands of the personal representative shall be liable for the taxes until a sale and conveyance thereof be made.

Real estate of deceased persons; how listed.

Each heir liable for whole tax until partition; remedy in case of such payment.

When such lands may be listed and charged to devisee.

If will require land to be sold it must be charged to, and paid out of decedent's estate until sale and conveyance thereof.

How old or new buildings are to be assessed.

27. Every assessor, before making out his book, shall assess the value of any old building omitted for one or more years, and of any addition or improvement to a building, and of any building newly erected, not theretofore assessed, if the same be of the value of one hundred dollars or upwards. Such building, whether new or old, and such addition or improvement shall be valued as nearly as may be at the same rate at which other buildings in the neighborhood were valued by the asses-

Assessment on buildings; where and how made.

Taxes on omitted buildings, how charged.

sor at the previous general assessment, and the valuation thereof be added to the value at which the land was before charged. And where it is an old building omitted for one or more years, the taxes for former years shall be charged with lawful interest thereon.

New buildings, &c., not to be taxed till fit for use.

28. No new building, addition or improvement shall be assessed until it is so far finished as to be fit for use.

Deduction to be made in assessment where value of building reduced one hundred dollars.

29. When any building which may have been assessed shall become reduced in value one hundred dollars or more, the assessor shall deduct the amount of such reduction from the value of the building assessed against the owner, and where any building shall be wholly destroyed, or reduced to less than one hundred dollars in value, the assessor shall deduct from said assessment the amount for which such building was assessed. If the

Same, where buildings destroyed.

Appeal to county court by party aggrieved in such cases.

owner of any building so assessed shall feel himself aggrieved thereby, he may, within twelve months after such assessment, apply to the county court of his county to have the same corrected, but he shall, before such application is made, give notice thereof in writing to the prosecuting attorney, whose duty it shall be to attend to the interests of the county and state therein. A copy of all orders made by the county court, changing the assessed value of any real estate, shall forthwith be certified by the clerk of such court to the auditor and assessor in whose district such real estate is situated. For any failure on the part of the assessor to comply with this or any of the three preceding sections, he shall forfeit fifty dollars.

Proceedings.

Copies of order to be sent to auditor; also to assessor.

Penalty on assessor,

Machinery and fixtures attached to mills and manufactories.

Assessment of machinery, &c., how and when made.

30. In assessing the value of buildings used or intended to be used as manufacturing or other mills, the assessor shall ascertain the value of all machinery and fixtures attached thereto, and include the same in the amount of improvement charged the owner thereof. And the valuation of such machinery or fixtures shall be thereafter increased or reduced according to the rules and principles applied to buildings in the twenty-seventh, twenty-eighth and twenty-ninth sections of this chapter.

How increased or diminished.

District lists of real estate.

31. There shall be in the land book for every assessment district, separate lists for the district included in such district, and every tract or lot of land shall, for the purpose of taxation, be entered in the list for the district in which the same or the greater part thereof is situated, and the entries in each district list shall be arranged in the alphabetical order of the names of the owners.

Separate 'list' for each district to be made in land book; what to be entered thereon, and how.

Land situated in different assessment districts.

32. Land lying partly in one county and partly in another, shall be entered by the assessor for the district in which the greater part lies; but the entry and payment of taxes in the county where any part is situated, shall for such time be a discharge for so much of the taxes as may be so charged and paid for state and school purposes. And when new buildings are erected of the value of one hundred dollars or more, upon that part of the land lying in the district in which it is not assessed, the assessor on whose book it is entered shall assess and add the value of such buildings as in other cases.

How lands must be charged lying partly in one county and partly in another; entry and payment of taxes where any part lies, valid.

Value of buildings in such cases, by whom assessed

33. Where land lying partly in one assessment district and partly in another, has been assessed in one of the said districts only, if the owner convey that portion, (or any part thereof,) lying in the district wherein the same is not assessed, the assessor of the latter district shall enter in his land book what is so conveyed, and certify the quantity, description and valuation of the part so conveyed, according to the average valuation of the whole tract per acre, exclusive of buildings, and with the value of the buildings, if any, added thereto, to the assessor of the district wherein the whole was before assessed, who shall deduct the quantity and valuation of the part so conveyed from that of the entire tract as before entered in his book.

Duty of assessors where land lies partly in one assessment district and partly in another, but charged only in one, is sold &c.

34. In like manner, where a tract or lot of land lies in two or more districts, and the owner conveys any portion thereof situated in a district wherein such land was

Same where such tract lies in two or more districts.

not assessed, the part so conveyed shall be thereafter entered in the assessment list for the proper district, and the quantity and apportionate value thereof be deducted from that of the entire tract or lot as it was before entered.

Inquiries to be made of land owners and their agents.

Duty of assessors before making out land books.

35. Each assessor, before making out his land book (and when he takes the list of taxable personal property shall carry with him the book of the preceding year, and the entry of lands charged to any person resident or having an agent within his district, shall be shown to such person or his agent, who may be required to state on oath whether the same be correctly entered; whether any part thereof ought to be transferred to any other person, and if so, to whom, and the nature of the evidence to authorize such transfer; also, to state whether any other land within the district ought to be charged to such resident or non-resident, and to describe the same, as well as to give a description of any land charged to such resident or non-resident which is not correctly entered. And the assessor shall make such use of the information so obtained as he can properly make consistently with the other provisions of this act. Any such resident or agent failing to comply with such requisition shall forfeit fifty dollars. Any assessor failing to comply with this section shall forfeit twenty dollars.

What the owner or agent must state on oath.

Use to be made of such information.

Penalty on owner or agent failing to give information.

Penalty on assessors.

Form of the land book; tracts of land; town lots.

Land book, form of — what to contain.

36. The assessor shall make out his land book in such form as the auditor may prescribe, showing for each district, in one table, the tracts of land, and in a separate table the town lots, arranged in the alphabetical order of the names of their owners.

Table of tracts of land; what to be entered in.

37. In the table of tracts of land the assessor shall enter each tract separately, and shall set forth, in as many separate columns as may be necessary, the name of the person who, by himself or his tenant, has the free hold in his possession; the nature of his estate, whether in fee or

for life; the number of acres in the tract; the name of the tract, if it has a name; a description of it, with reference to the water courses, mountains or other places on or near which it lies; the distance and bearing from the court house; the value of the land per acre, including buildings; the value of land and buildings; sum included in the value on account of buildings; the amount of tax on the whole tract at the legal rate; and from whom, when, and how the owner derived the land, where that is known; with a note and explanation of any alteration made, showing why and upon what authority it was made.

38. In the table of town lots, he shall enter separately each lot, whether improved or unimproved, and shall set forth, in as many separate columns as may be necessary, the name of the person and his estate, as in the table of tracts of land, charging lots leased for a term of years on ground rent, including all improvements thereon, not to the lessee, but to the tenant for life or fee simple owner under whom the lessee holds. The assessor shall set forth in other columns the number of each lot in the town, if the same be numbered, with the name of the town, if not previously placed in the heading or caption of the table, a description, where the person does not own the whole lot, of the part which he owns; the value of the buildings on the lot; the value of the lot, including buildings; the amount of tax at the legal rate, and like notice of the source of title and explanation of alterations, as in the table of tracts of land.

Table of town
lots; what to be
entered in.

Assessment to have reference to first of February; to whom taxes are chargeable.

39. The assessor shall begin annually on the first day of Febuary, and proceed without delay to ascertain all the persons and property, real and personal, on that day subject to taxation in his district. The taxes for each year upon real and personal property shall be paid by those who are the owners thereof on that day, whether it be assessed to them or to others.

When assessor
to commence
assessment;
what to ascer-
tain.

Taxes, by whom
paid.

Who deemed
the owner of
real and per-
sonal property
for purposes of
taxation.

40. As to real property, the person who by himself or his tenant has the free-hold in possession, whether in fee or for life, shall be deemed the owner for the purposes of taxation. A person who has made a mortgage or deed of trust to secure a debt or liability, shall be deemed the owner until the mortgagee or trustee takes possession; after which such mortgagee or trustee shall be deemed the owner. Personal property mortgaged or pledged shall, for the purposes of taxation, be deemed the property of the party who has the possession.

By whom property is to be listed.

Property to be
listed for taxa-
tion, by whom.

41. Every person of full age and sound mind shall list for taxation the property belonging to him, including the shares held by him in any national or other bank in this or any other state, except where the same is listed under the provisions of section sixty-four of this chapter, and the persons and property under his charge and control, subject to taxation, and furnish to the assessor on his application, all necessary information respecting the same. The property of a minor shall be listed by his guardian if he has one; and if he has no guardian, by his father, if living; if not, by his mother, if living; and if neither be living, or they be out of this state, by the person having charge of the property. The separate property of a married woman may be listed by herself, or by her husband in her name, and the property of the husband may be listed by the wife if he be out of the state, or in a condition in which he may be unable to list the same; property held in trust, by the trustee, if in possession thereof; otherwise by the party for whose benefit it is held; the personal property of a deceased person, by the personal representative; the property of an insane person, or person sentenced to confinement in the penitentiary, by his committee; of a company, whether incorporated or not, whose assets are in the hands of an agent, factor or reciever, by such agent, factor or reciever; otherwise by the president or principal accounting officer, partner or agent, within the state; all money, credits and investments in the possession or

under the charge of a receiver or commissioner, by such receiver or commissioner; and money deposited to the credit of any suit, by the clerk of the court in which the suit was brought.

42. Every person required by law to list property on behalf of another, shall list it separately from his own designating the person, company, estate or trust to which it belongs.

Property listed by one person for another, how listed.

Property exempt from taxation.

43. All property, real or personal, described in this section, and to the extent herein limited, shall be exempt from taxation, that is to say:

What property is exempt from taxation.

Property belonging to the United States, or which by the laws of the United States is exempt from taxation by or under state authority;

Property belonging exclusively to the State;

Property belonging exclusively to any county, district, city, village or town in this State, and used for public purposes;

Property used exclusively for divine worship; parsonages, and the household goods and furniture pertaining thereto; burial grounds;

Property belonging to colleges, academies and free schools, if used for educational purposes, including books, apparatus, annuities, money and furniture;

Public and family libraries;

Property used for public and charitable purposes, and not held or leased out for profit, including the property of agricultural associations;

Property belonging to any public institution for the education of the deaf, dumb or blind; or to any hospital, house of refuge, lunatic or orphan asylum; to the overseers of the poor in their official capacity; fire engines and implements for the extinguishment of fire, and property used exclusively for the safe keeping thereof, and for the meetings of fire companies;

Agricultural productions grown directly from the soil, and the products and increase in number of live stock

produced within this State during the year preceding the first day of February, and remaining unsold on that day in the possession of the original owner or his agent ;

The produce during the same time of mines, salt wells, and oil wells within this State, remaining unsold in the hands of the producer or his agent, on the first day of February ; And all manufactured articles and products of mechanical skill and labor, produced in this State during the same time, and remaining unsold on the first day of February in the hands of the producer or his agent.

Assessment of capitation tax.

Who are to be assessed with capitation tax.

44. Every assessor shall ascertain and list for taxation the white male persons and the colored male persons over the age of twenty-one years, residing in the district on the first day of February, and not exempt from taxation on account of bodily infirmities, and shall include in the said list all such persons who remove into the said district between the first day of February and the time the assessor's books are delivered to the collecting officer ; but persons who pay the capitation tax in one district shall be exonerated from paying the same in any other for that year.

Such tax to be paid but once in the same year.

Personal property; definitions.

The words, "county court" and the word "persons" what they include.

45. The words "County court" as used in this chapter, shall be construed to include any tribunal constituted for police and fiscal purposes in lieu of a county court, and the clerk of such tribunal shall perform all the duties required of a clerk of a county court for the purposes of this act. The word "persons" shall include firms and companies whether incorporated or not, unless such meaning be inconsistent with the context ; and words importing residence shall, as applied to firms and companies, be regarded as designating the place where their principal business is transacted.

Words importing residence, as applied to firms, &c., how regarded.

The words "personal property" defined.

46. The words "personal property," as used in this chapter, shall include all fixtures attached to land, if not

included in the valuation of such land entered in the proper land book; all things of value, movable and tangible, which are the subject of ownership; and money, credits and investments, as defined in the following section;

47. The word money includes not only coin, but all notes, tokens or papers which circulate or are used in ordinary transactions as money or currency, and deposits which, either in terms or effect, are payable in money on demand. "Credits" include all claims and demands, whether owing upon bond, note, certificate, book account or otherwise, and whether due or not, and whether payable in money, property, labor or services, except only such demands as are included in the term "money" as above defined. "Investments" include stocks, bonds and securities of the United States or of this State, or of any other state, nation or government, or of any city, town, county, district, railroad or other corporation, and any share, portion, interest or stock in the capital, joint fund, assets, or profits of any company, whether incorporated or not, or in a steamboat or other vessel, or in any adventure, business or undertaking.

The words
"money,"
"credits,"
and "invest-
ments," defined

What personal property is to be listed for taxation

48. All personal property belonging to persons residing in this state, whether such property be in or out of the state, and all personal property in the state though owned by persons residing out of the state, shall be entered on the personal property book, and be subject to equal and uniform taxation, unless specially exempted by law.

Personal
property to be
listed for
taxation, what.

In what district personal property is to be listed.

49. Every person required by law to list personal property shall list for taxation in the assessment district where he resides the money, credits and investments subject to taxation belonging to himself, or under his charge or control, whether the same or the evidence thereof be in or out of the state; but capital, money,

Where personal
property to be
listed.

and property, (except real estate,) employed in any trade or business, (other than agriculture,) belonging to a company, whether it be incorporated or not, or to an individual, shall be assessed for taxation in the assessment district where the principal office for transacting the financial concerns pertaining to such trade or business is located; or, if there be no such office, then in the district where the operations are carried on. Goods and chattels, and other personal property not assessed as aforesaid nor exempt from taxation in the assessment district where the same may be on the first day of February, and may be assessed in any district to which it may be removed before the assessor's books are certified; but the assessment and payment of taxes in any county or district in any year, shall exonerate the owner of such property in any other county or district for such year.

Payment of taxes for any year in any county or district exonerates the owner of such property in any other county or district for such year.

Valuation of personal property.

How value of credits to be estimated.

50. The value of any "credit" required to be listed, if the solvency of the party liable therefor be doubtful, or the claim be disputed, shall be estimated at what it is deemed to be probably worth. If it be payable in any thing but money, its probable value in money is to be listed. If a solvent credit bear interest which has not been paid, the amount of principal and the interest calculated up to the first day of February in the year for which the assessment is made, shall be listed, but if it do not bear interest, and be not due, the interest for the time it has to run from the said first day of February until it will be due and payable, may be deducted. Investments shall be rated at their market price, or if there be no known market price, at what is deemed their probable value.

Value of investments, how estimated.

Shareholders in companies not required to list shares for taxation, where the property of the company is assessed.

51. Where the property, stock or capital of any company, whether incorporated or not, is assessed to such company, no person owning any share, portion or interest therein, shall be required to list the same, or be assessed with the valuation thereof.

What to be deducted in listing credits and investments.

52. In listing credits or investments, the party owning the same, may deduct therefrom what he owes to

others as principal debtor, but not what he may be liable for as surety, endorser or guarantor, unless his principal be insolvent.

53. If there be a difference between the owner and the assessor in regard to the valuation of any personal property, they may each choose a discreet voter, and their decision, or that of an umpire chosen by them, shall be final as to the matter in controversy.

Difference between owner and assessor as to the value of personal property, how settled.

List to be called for by the Assessor.

54. It shall be the duty of the assessor, as soon as possible after the first day of February in each year, to ascertain all personal property subject to taxation in his district, with the value thereof, and the name of the persons to whom the same ought to be assessed, and to make proper entry thereof in his personal property book.

Duty of assessor to ascertain all personal property taxable, with its value.

55. To ascertain the same, he shall call upon every person in his district who is required by law to list and such property, for a list and valuation thereof, and may apply to any officer or agent of a company or any person interested therein, and shall require every person to answer under oath such questions as he may ask him in relation to any matter about which the assessor is authorized to inquire. An assessor failing to make any call required by this section, shall forfeit twenty-dollars.

Must call upon every person for list and valuation.

Shall require persons to answer questions under oath.

Penalty on assessor neglect.

56. If any person desire it, the assessor shall furnish him proper forms for the list and valuation of such personal property, as he is required by law to list. If any person be absent from his residence at the time the assessor calls, and there be no person on the premises to act for him, the assessor shall leave proper forms for him with some member of the family over the age of sixteen years, or if there be no such person on the premises, shall cause such forms to be delivered to him as soon as possible thereafter, or otherwise procure the proper statements. To the form furnished by the assessor shall be appended the form of the oath to be taken by the party who is required by law to make out such lists.

Assessor to furnish forms when required.

To be left at person's residence, if absent.

Form of oath to be appended.

57. Every person so called upon, shall within ten days

Duty of person called upon, &c. to return list of property within ten days, and to whom return made.

thereafter, deliver to the assessor, or leave for him with the clerk of the county court, a full and correct statement, in the form prescribed by the assessor, of all personal property and persons on account of which he is chargeable with taxes, or which by law he is required to list on behalf of another, with valuations of the property mentioned in the said statement. He shall also take and subscribe an oath appended to or endorsed upon the said

Form of oath to be taken.

statement, to the following effect, viz: "I solemnly swear (or affirm) that the above (or within) list contains, to the best of my knowledge and belief, a full and correct statement of all the personal property, money, credits and investments belonging to ——— whether the same are in or out of the State of West Virginia, which are required by law to be listed for taxation in the ——— assessment district of ——— county; and that the valuations affixed to the same, are, in my opinion, not below the fair cash value thereof." When the capital employed in any trade or business is returned, the affidavit to the value shall be to the following effect, viz: "I solemnly swear (or affirm) that the above (or within) is a true statement, to the best of my knowledge and belief, of the actual value of the property, money, credits and investments (real estate and property exempt from taxation excepted,) employed by ——— in the trade or business of (merchandizing, manufacturing, banking, or as the case may be,) whether such property, money, credits, and investments are in or out of the State of West Virginia, after deducting what the said ——— owes to others as principal debtor."

When person may refuse to value property.

58. Notwithstanding anything contained in this chapter to the contrary, any person may refuse to value any personal property listed or returned by him, if he exhibit the same to the assessor, who shall thereupon assess the value thereof.

Value, then, to be fixed by assessor.

Penalties for failure or refusal to furnish list of property &c.

59. If any person whose duty it is by law to list any personal property, being called upon by the assessor to do so, refuse to furnish a proper list thereof, or to make such oath as is required by the fifty-seventh section; or if any person refuse to answer, or answer untruly any question lawfully asked by the assessor, or refuse to be exam-

ined under oath when lawfully required by the assessor, or fail or refuse to deliver the statement required by the said fifty-seventh section, he shall forfeit not less than ten nor more than one hundred dollars. And if any person fail to give a true list of all money loaned which should be assessed, he shall, in addition, forfeit five per centum on such sum not so listed, which shall go to the informer.

Forfeiture in such cases go to the informer.

60. If any person fail to furnish a proper list, or if the list furnished be in the judgment of the assessor incomplete or erroneous in any respect, the assessor shall proceed to list the property and assess its value, or to supply the omissions and correct the errors, upon the best information he can obtain, and for that purpose the assessor may call upon any officer of the State, county or district for such proper information as it may be in his power to give; and may require any person having possession, charge and control of any personal property in the assessment district, to permit him to examine the same, in order that a fair valuation thereof may be made; and if any person refuse to do so he shall forfeit not less than ten nor more than fifty dollars.

Duty of the assessor, where person fails to furnish proper, in complete or erroneous list.

Persons having possession, &c., of property to produce the same to assessor when required.

Penalty for failure.

61. Nothing in this chapter contained shall be construed to require any person to furnish, or the assessor to take, a list of the several articles of such person's household and kitchen furniture, except those specified in section sixty-eight.

Household and kitchen furniture not to be listed except as provided by law.

62. The assessor may administer oaths in all matters pertaining to his official business.

Assessor may administer oaths.

Toll Bridges and Ferries.

63. The assessor shall ascertain the yearly value of all toll bridges and ferries in his district, except such as are by law exempted from taxation. He shall be governed by the actual rent received, where such toll bridges are rented or leased out; otherwise he shall make a just estimate of their annual value. For purposes of taxation the value of a toll bridge or ferry shall be taken to be ten times its annual value.

Value of toll bridges and ferries, how ascertained and assessed.

Incorporated Companies.

Value of capital
of incorporated
companies,
except railroads
&c., how ascer-
tained and as-
sessed.

64. He shall ascertain from the proper officers or agents of all incorporated companies in his district, (except railroad and foreign insurance, telegraph and express companies,) the actual value of the capital employed or invested by them in their trade or business, (exclusive of real estate and property exempt by law from taxation,) and enter the same in his personal property book. The real estate of such companies shall be assessed and entered in the land book as in other cases. The value of the capital shall be estimated by taking the aggregate value of all the personal property of the company, not exempt from taxation, wherever situated, including their money, credits and investments, whether in or out of the State, and deducting from the said aggregate what they may owe to others as principal debtors. If a company have branches, each branch shall be assessed separately in the district where the principal office for transacting its financial concerns is located, or if there be no such office, then in the district where its operations are carried on. Where the capital of a company is assessed as aforesaid, the personal property thereof shall not be otherwise assessed, nor shall any individual share holder or partner therein be required to list or be assessed with his share, portion or interest in the said capital.

Capital used in trade or business by merchants and other individuals or firms.

The value of
capital of indi-
viduals or firms
&c., how
ascertained.

65. The value of the capital used by any individual or firm not incorporated, in any trade or business taxable by law, shall be ascertained in the manner following:

The assessor shall ascertain from every such individual or firm, or from some member or agent of such firm, carrying on any trade or business, except agriculture, within his assessment district, the actual value of the capital employed by him or them in such trade or business. Such person or firm shall state:

First. The actual amount of cash capital invested in such trade or business on the first day of February in each year.

Second. The amount and value of all personal property used in connection with such trade or business, otherwise than such as is regularly kept for sale therein.

Third. The value of all goods and property kept for sale and remaining unsold on the first day of February, except as provided in the sixty-eighth section of this chapter.

Fourth. The amount of all money derived from such trade or business remaining uninvested on that day; whether in or out of the State.

Fifth. The amount and value of all debts and claims arising out of such trade or business, and remaining unpaid on that day, whether in or out of the State, deducting therefrom any debts, created in the course of such trade or business, which such person or firm owes as principal debtors.

Sixth. The amount and value of all investments made by such person or firm, whether in or out of the State, other than those hereinbefore specified.

Any such person or firm desiring to commence business after the first day of February, in any year, shall give notice thereof to the assessor, of the proper district, accompanied with a sworn statement of the amount of capital invested, or intended to be invested, by such person or firm in such trade or business during the remainder of the year. And it shall be the duty of such assessor, upon the receipt thereof, to assess the amount of such capital with the taxes payable thereon, and certify the same to the sheriff of the county for collection. He shall at the same time transmit to the Auditor a duplicate of the said certificate, and upon the receipt thereof the Auditor shall charge the sheriff with the amount of State taxes therein specified. The assessor shall also, on or before the day on which the county levies are laid, certify to the county court of his county, the amount of all taxes assessed by him in said last mentioned cases for county and district purposes. When any personal property employed in any trade or business is assessed under the provisions of this section, the owner shall not be required to list the same otherwise, nor shall it be otherwise as-

Duty of person, or firm commencing business after 1st day of February.

Duty of assessor in such cases.

Property so assessed, not to be otherwise listed or assessed &c.

sessed to him. But all personal as well as real property, not so assessed to such person or firm, shall be assessed as other like property is required by law to be assessed.

Receivers, commissioners and clerks of courts.

Assessor to ascertain from receivers, commissioners and clerks what moneys, &c., in their hands.

66. He shall ascertain from each person in his district who acts under the order of any court as receiver or commissioner, the amount of all money and bonds or other evidences of debt under his control, and the style of the suit to which such fund belongs; and from the clerk of such court the amount deposited by order of such court in any bank or savings institution to the credit of any suit in such court, and the style of such suit.

Railroad companies, how assessed for taxation.

67. The president, secretary, or principal accounting officer of every railroad company, whether deriving its corporate powers exclusively from the State or not, shall list for taxation at its true value in money, verified by the oath or affirmation of the officers so listing, all the property, money, credits and investments of such company, of whatsoever kind, wholly held or used in this State, and also the proportional value of all locomotives and rolling stock passing in and out of this State on railroads crossing the lines thereof, to be ascertained by the proportion which the number of miles run within this State by such locomotives and other rolling stock may bear to the whole number of miles run by such locomotives and other rolling stock over the road belonging to such company or any connecting line; the proportional value of all such locomotives and other rolling stock so ascertained, to be assessed as the property of the company owning and using the same, whether it be run upon its own or any other railroad within this State. The property exempt from taxation by the charter of such company, or otherwise, shall not be assessed. The proportional value of all locomotives and other rolling stock, and the value of all other personal and moveable property, money, credits and investments, shall be added to the stationary and fixed property and real estate, and shall be apportioned by such officer to each county through

Property exempt.

Proportionate value of rolling stock, &c., added to fixed property and appropriated among the counties.

which the road passes, in proportion to the fixed property and real estate, belonging to the company in such county; and all the property so listed shall be subject to and pay the same taxes as other property listed in such county. *Provided*, that the road bed, bridges, tunnels, depots, stations, machine shops, machinery, freight houses, stock yards, rolling stock, and all other necessary appendages, and structures connected and used therewith, together with all the real estate which the company is allowed by law to hold, shall be listed as aforesaid, or assessed by the board of commissioners as hereafter provided at their actual value in money, without reference to the amount expended in the construction or purchase thereof. Said officer shall, on or before the first day of February in each year, make out and file with the auditor, such list and *pro rata* valuation of the real and personal property, and money, credits, and investments of such company verified as aforesaid. The auditor shall lay said list and valuation before the board of public works as soon as possible after the filing thereof, and if the same be deemed satisfactory, the said board shall direct the auditor to assess the property of such company for state and general free school and county purposes, and for free school purposes in each district and independent school district through which said railroad runs, as hereinafter provided, upon the valuation of its property as contained in said list, and the auditor shall assess the same accordingly. But if the said list and valuation be not satisfactory to the board, or if such railroad company fail to file the list and valuation herein required, the said board shall, as soon as possible after the said first day of February, appoint a board of commissioners, consisting of one discreet and intelligent freeholder from each congressional district of the State, to assess the property of said company as hereinafter required; but no person shall be appointed as such commissioner who resides in a county through which a railroad runs. It shall be the duty of the said commissioners, as soon as they are informed of their appointment, to convene at some convenient point on the line of the railroad to be assessed, and to examine,

How taxed.

Proviso as to
road bed,
bridges, tunnels
&c.

List, etc., when
and with whom
filed.

Duty of auditor
in relation to
list and valuation
furnished;

If satisfactory,
auditor to assess
property of
company; if not
satisfactory, etc,
board to appoint
commissioners
to assess

Duty of such
commissioners.

as far as practicable, all the taxable property of such railroad company, hereinbefore mentioned, within each of the counties of this State, and to assess the fair value thereof, in money, for the purpose of taxation, upon the principles hereinbefore stated. If a statement of the property of such company has been filed as herein required, a copy thereof shall be delivered to said commissioners by the auditor to enable them to discharge their duties; but if no such statement has been filed, the said commissioners shall assess the value of such property with in each county of this State upon the principles aforesaid, from the best information they can obtain. The assessment so made by the said commissioners shall be returned by them to the auditor on or before the first day of July succeeding their appointment, and their decision shall be final. In case the list and valuation of the property filed with the auditor as aforesaid be satisfactory to the board of public works, and in cases where an assessment of the property of such company is made and returned by the board of commissioners as aforesaid, the auditor shall immediately certify to the county court of each county through which such railroad runs, the value of the property therein of every such company, as valued or assessed as aforesaid; and it shall be the duty of such court to apportion such value between the several districts and independent school districts in their county through which such road runs, as near as may be according to the value thereof, in each of said districts. It shall be the duty of the clerk of the county court of every county through which such railroad runs, within ten days after the county levy of such county is laid, to certify to the auditor the amount levied upon each one hundred dollars value of the property therein for county purposes. Provided, that no railroad company shall be taxed by any county for the purpose of building or to assist in building any other railroad. It shall also be the duty of the secretary of the board of education of every such district and independent school district, within ten days after a levy is laid therein for free school purposes, to certify to the auditor the amount levied for such purpose upon

Statement to be furnished commissioners.

When and to whom the assessment made by commissions to be returned.

Decision final.

Duty of auditor to certify to county court of each county through which road runs assessment of property.

Duty of court in such cases.

Duty of clerk of county court to certify to the amount of county levy etc.

Proviso prohibiting taxation for purpose of building any other railroad.

Duty of Secretary of Board of Education, etc., to certify to auditor the levy etc. for free school purposes.

each one hundred dollars value of the property therein. And it shall be the duty of the auditor to charge every railroad company assessed under the provisions of this section, in a book to be kept by him for that purpose, as follows:

Taxes to be charged to company, by auditor; for what purposes, and how.

I. With the whole amount of taxes upon its property in each year, for state and general free school purposes.

II. With the amount payable to each county through which such road runs, for county purposes aforesaid.

III. With the amount payable to each district and independent school district through which such road runs, for free school purposes.

The Auditor shall, on or before the fifteenth day of December in each year, make out and transmit by mail or otherwise a statement of all the taxes and levies so charged, to the president, secretary or principal accounting officer of such company. And it shall be the duty

Auditor to transmit statement of taxes charged against it; when.

of such company so assessed and charged to pay the whole amount of such taxes and levies upon its property into the treasury of the State, by the 20th day of January next after the assessment thereof; subject to a deduction of two and a half per centum upon the whole sum,

When to pay taxes.

if the same be paid on or before that day. If any such company fail to pay such taxes and levies by the said 20th day of January, the Auditor shall add ten per centum to the amount thereof to pay the expenses of collecting the same, and shall certify to the sheriff of each

Deduction; when made.

county the amount of such taxes and levies assessed within his county; and it shall be the duty of every such sheriff to collect and account for such taxes and levies in the same manner as other taxes and levies are collected and accounted for by him. And when the district and independent school district taxes and levies are collected by him he shall immediately pay the same to the treasurer of the proper district. When such taxes

When ten per centum to be added to the amount.

and levies are paid into the treasury as herein provided, the Auditor shall account to the sheriff of each of the counties to which any sum so paid in for county levies belongs, for the amount due such county, and may ar-

When auditor to certify taxes, etc., to be collected by sheriff.

Duty of sheriff.

How such taxes collected and accounted for.

When company pays taxes into treasury, auditor to settle with sheriff for county levies, and sheriff to account to county court for same.

range the same with such sheriff in his settlement for the State taxes, in such way as may be most convenient; and the sheriff shall account to the county court of his county, for the amount so received by him, in the same manner as for other county levies. The amount so paid in for each district and independent school district shall be added to the distributable share of the school fund payable to such district, and paid upon the requisition of the county superintendent of free schools, in like manner as other school moneys are paid. The auditor shall certify to the county court of every such county, on or before the first day of February in each year, the amount with which the sheriff thereof is chargeable on account of the levy upon the property of such company. He shall also certify to the county superintendent of free schools the amount of such levies due to each district and independent school district in his county. The right of the State or of any county or district to enforce, by suit, or otherwise, the collection of taxes or levies heretofore assessed or the right to which has heretofore accrued shall not in any manner be affected or impaired by anything in this chapter contained. The taxes and levies so assessed upon the said property of any such railroad company for any year shall, when paid, be in full of all taxes and levies of every sort and description which might be assessed upon its property for such year if this section had not been passed; and no other assessment shall be made in any year upon the property of such company than is heretofore provided for in this section, except that all buildings and real estate owned by such company and used or occupied for any purpose not immediately connected with its railroad, or which is rented for any purpose to individuals, shall be assessed with and taxes shall be paid thereon the same as other property of the like kind belonging to an individual. Each of the said commissioners shall be paid out of the treasury of the State three dollars per day for each day he shall be actually and necessarily employed in the discharge of his duties under this section, and five cents per mile for each mile necessarily traveled by him in

Amount paid into treasury for school purposes; how disposed of and paid.

Auditor to certify to county courts amount of county levy paid to sheriff, when.

Also, to county superintendent of schools, amount of levies due each district.

Rights to enforce by suit or otherwise, the collection of taxes, heretofore assessed, etc., not to be impaired.

Taxes when paid to be in full satisfaction, etc.

No other assessments to be made, etc.

Exception.

Compensation of commissioners; how paid.

going and returning in the discharge of his duties. Vacancies in the board of commissioners, shall be filled, and new boards may be appointed, from time to time, by the board of public works, when necessary to carry into effect the provisions of this section.

Vacancies in board of commissioners; how filled and new ones appointed.

Making up the personal property book.

68. From the information obtained as aforesaid, the assessor shall proceed to make up his personal property book as follows: He shall enter therein the names of the owners of personal property, and of other persons liable to capitation tax, alphabetically arranged by districts, and opposite the name of each person, in separate columns, the persons and subjects of taxation with which he is chargeable, that is to say:

Personal property books; how made up, and what to contain.

The number of white male residents over the age of twenty-one, not exempt from taxation on account of bodily infirmity;

The number of colored male residents over the age of twenty-one, not exempt from taxation on account of bodily infirmity;

The number of horses, mules, asses and jennetts, and the value thereof;

The number of cattle and the value thereof;

The number of sheep and the value thereof;

The number of hogs and the value thereof;

The value of farming and garden utensils and implements, of agricultural products, and products of animals not exempt from taxation;

The number of carriages, carryalls, gigs, buggies and vehicles, and the value thereof; not including those constituting part of the stock of a merchant or manufacturer, or those included as farming utensils;

The number of watches and clocks and the value thereof; not including those constituting part of the stock of a merchant or manufacturer;

The number of piano-fortes and melodeons and the value thereof, not including those constituting part of the stock of a merchant or manufacturer;

Personal prop-
erty books; how
made up, etc.,
continued.

The value of all gold and silver plate and jewelry, not including such articles constituting part of the stock of a merchant or manufacturer, or articles before enumerated;

The value of household and kitchen furniture, not including articles before enumerated:

The value of the property and capital (excluding real estate and articles exempt from taxation, but including money, credits and investments not exempt from taxation, whether due or not, and whether in or out of the state) employed by any corporation, firm or individual, in any trade or business after deducting debts as allowed by sections fifty-two and sixty-five of this chapter;

All money, and the value of all credits and investments not otherwise assessed nor exempt from taxation, whether due or not, and whether in or out of the state after deducting debts as aforesaid;

The annual value of toll bridges and ferries;

The amount of money, bonds, and evidences of debt under control of receivers and commissioners, and amount deposited or invested by order of court to the credit of any suit;

Value of all personal property not exempt from taxation nor otherwise assessed. There shall be listed by, and taxed to every banking association, in the county in which the bank is situated, all the shares in such association held by the several stockholders according to the value thereof as personal property. The same shall be charged to the bank in its corporate name, and the bank shall pay the taxes thereon, but the shareholders shall not be chargeable with such shares otherwise than as herein provided; but this clause shall only apply to banks chartered under the authority of the laws of the United States;

Bank stock to
be listed and
taxed.

How charged.

To apply only
to banks char-
tered under laws
United States.

Whole amount of tax due from each corporation, firm and individual, exclusive of taxes assessed on land book.

Taxes omitted
in former
years; when to
be entered.

69. If the assessor discover that any taxes on personal property were omitted in any former year, not exceeding five, he shall enter the same, with interest thereon, in his personal property book.

Rules applicable both to the land book and personal property book.

70. The assessor shall add up the columns of figures on each page of his land book and personal property book, so as to show at the bottom of each page, the aggregate of each column; and at the end of each district list, he shall enter the aggregates from the bottoms of the respective pages pertaining to such district, with reference to the pages from which he has transferred the said aggregates; and shall there add up the same, so as to show the total of each column for the whole district. The totals thus ascertained for the several districts shall be transferred, with proper references, to the end of each book, and there added up, so as to show the total of each column for the whole assessment district.

Duty of assessor as to adding up columns of figures, etc.

Totals so ascertained; what to show, etc.

71. The assessor shall make a particular report, under oath, to the clerk of the county court of his county, of all his own property subject to taxes in his assessment district, showing the whole amount of taxes chargeable to him therefor. He shall enter his own property, and the taxes chargeable thereon, upon his books in like manner as those of other persons are entered. For failing to perform any duty required of him by this section, he shall forfeit fifty dollars.

Assessor to report his own property; how and to whom.

Penalty for failure.

72. In any case in which, in consequence of there being no assessor, or from any other cause, a land book or personal property book was not made out for any assessment district for any year since the twentieth day of June, 1865, or if any such book be not made out for any year hereafter, the assessor for such district shall proceed to make out the proper books for such year, according to the rate of taxation prescribed therefor by law. The like proceedings shall be had with and under such books, and for the collection of the taxes therein charged, as if the said books had been duly made during the year to which they relate.

Books for former years: when and how made.

Proceedings thereon.

73. If by reason of war, insurrection, riot, forcible resistance to the execution of the laws, or imminent danger thereof, the assessor cannot perform his duties in his

Duty of assessor if interrupted by reason of war, etc.

district or any part thereof, he shall nevertheless proceed to make his assessment by reference to the former land and personal property books, or upon the best information he can obtain, and like proceedings may be had for the collection of taxes thus charged, as if such assessment had been regularly made.

Collection of
taxes in such
cases.

If land book
destroyed :
re-assessment of
lands may be
made ; how.

74. If the land book for any district be destroyed or removed, so that the same cannot be used for reference by the assessor of such district, and no reliable copy thereof can be obtained, the Auditor with the consent and approval of the Governor, may appoint one or more commissioners to re-assess the lands in such district and make up a new land book therefor, and, with the like consent and approval, may allow them such compensation as shall be deemed reasonable.

Compensation
therefor.

Proceedings of the Assessor after the books are made out.

Copies of per-
sonal property
books to be
made by
assessor.

To return them,
with lists, to
clerk of county
court.

Duty of clerk.

Assessor to
attend at office
of clerk, etc.

Clerk to point
out errors, etc.

Errors ; how
corrected.

Books, when
and how certi-
fied by clerk.

75. The assessor shall make three fair copies of his personal property book, and when the same shall be completed, shall present them, together with the list mentioned in the fifty-seventh section of this act, to the clerk of the county court of the county, who shall, with such assistance as may be necessary, compare the books with the said lists, and examine them in such other way as his information will enable him to do. The assessor shall attend at the office of the clerk, and shall assist at the examination so far as may be desired by the clerk. The clerk shall point out to the assessor such errors, if any, as in his opinion may exist in any of the books, and every such error shall be corrected ; but when the clerk and assessor cannot agree as to the propriety of such correction, the matter shall be submitted to the prosecuting attorney for the county, and they shall conform to his decision. When the examination is completed, and the additions and recapitulations required by law have been made and found to correspond in each of the said books, the clerk shall append to each of said books, a certificate to the following effect : "I hereby certify that I have examined and corrected the foregoing book in the manner required by law, and that the additions, proofs, and

recapitulations required by law have been made, and correspond with the two other property books examined by me ;" to which certificate the clerk shall affix the proper date and his signature and official designation.

76. As soon as such comparison and examination shall have been completed, the assessor shall make and subscribe the following oath at the foot of each of the three copies of the personal property book : "I, ——— assessor of the county of ——— (or assessor of the ——— district of the county of ——— as the case may be,) do swear (or affirm) that in making the foregoing assessment, I have, to the best of my knowledge and ability, pursued the law prescribing the duties of assessors, and that I believe the entries of the list, the additions, proofs and recapitulations in the foregoing book are correct, and the same are alike in words and figures to the two other copies of the personal property book made by me for my district in this year. So help me God." And the officer before whom the oath is taken, shall annex the following certificate: "Sworn and subscribed before me, a ——— for the county of ———, on this ——— day of ———;" which certificate shall be subscribed by the officer, administering the oath.

Oath of assessor to personal property books.

Certificate of officer administering oath.

77. He shall also make three fair copies of the land book, and when the same are completed, he shall present them to the clerk of the county court of the county, who shall, with such assistance as may be necessary, compare each copy thereof with the land book of the preceding year, and, when necessary, shall examine the records of his office, and such transcripts, abstracts or statements from other offices as may be in the possession of the assessor. He shall point out to the assessor such errors, if any, as in his opinion exist in any of the books, and correct the same; but if the assessor does not concur as to the propriety of such correction, the matter shall be submitted to the prosecuting attorney for the county, and they shall conform to his decision. When the examination is completed, and the additions and recapitulations required by law are made in each of the said books, the clerk shall append to each of them a certificate to the

Copies of land book to be made by assessor.

To whom presented.

Clerk's duty thereon.

Errors; how corrected.

Certificate of land book when and how made.

following effect: "I hereby certify that I have carefully examined the foregoing land book, that I have compared it, with the land book for the preceding year, with the records of my office, where necessary, and with such lists, abstracts and statements from other offices as the assessor laid before me; that such errors as were found in said books were corrected by me according to law, and that the additions and recapitulations correspond with the two other land books examined by me." To which certificate the clerk shall affix the proper date, and his signature and official designation.

Oath of assessor
to land book.

78. As soon as such comparisons and corrections have been made, the assessor shall make and subscribe the following oath at the foot of each of the land books: "I, _____ assessor of the county of _____, (or of the _____ district in the county of _____ as the case may be,) do swear (or affirm,) that in making out the foregoing land book, I have to the best of my knowledge and ability, pursued the law prescribing the duties of assessors, and that I have faithfully discharged the duties required of me in assessing improvements upon lands, and that I believe the entries, additions and recapitulations are correct, and like the two other copies of the land book made by me for my district in the present year;" and the officer before whom the oath is taken shall annex thereto the following certificate: "Sworn and subscribed before me _____, a _____ for the county of _____, on the _____ day of _____;" which certificate shall be subscribed by the officer making it.

Certificate of
office adminis-
tering the oath.

One copy of
each book, with
lists, etc., to be
delivered to
clerk; when.

79. After the land book and book of personal property have been corrected and certified as required by sections seventy-five, seventy-six, seventy-seven and seventy-eight of this chapter, the assessor shall, on or before the first day of August next ensuing, deliver one copy of the personal property book, together with the lists mentioned in the fifty-seventh section of this act, and one copy of the land book, to the clerk of the county court of the county, to be by him carefully preserved among the records of his office, free for the inspection of any person, and a copy of either or any portion thereof

To be preserved
by clerk in his
office, etc.

may be had at the charge of the person desiring the same ; and such copy of the land book and personal property book shall also serve for laying the county levy. Such books to serve for laying county levy.

80. The assessor shall deliver another copy of each of said books to the sheriff or collector of the county, on or before the fifteenth day of August, and such copies shall be his guide in the collection of the taxes therein assessed. Copy of land and personal property books to be delivered to sheriff; when.

81. The remaining copies of each of said books shall be transmitted by the assessor to the auditor on or before the first day of September, with a certificate affixed thereto or written thereon stating that he has delivered duplicates thereof to the sheriff or collector of the county, and the time of such delivery. The said copies shall be a guide to the auditor in auditing the accounts of such sheriff or collector ; and shall be admitted as evidence in any proceedings against such sheriff or collector, in relation to the taxes entered therein. Remaining copies to be delivered to auditor ; when. Certificate to be appended. To be guide to auditor in settling with sheriff. To be admitted as evidence ; when.

82. The assessor may require of the officer to whom the said copies are delivered or transmitted an acknowledgment in writing of the receipt thereof. Assessor may require receipts for books.

83. The originals of the land book and personal property book made out by him shall be retained by the assessor so long as he continues in office, and then be delivered to his successor, as provided in the sixth section of this chapter. Original land and personal property books ; how disposed of.

Penalty on assessor for failure to perform his duty.

84. If any assessor knowingly make a false entry, addition, or recapitulation in his land book or personal property book, or in any copy of either, he shall for every such offense forfeit three hundred dollars. Penalty on assessor for failure to perform certain duties.

85. If any assessor fail to perform any duty required of him by the seventy-fifth, the seventy-sixth, the seventy-seventh or seventy-eighth sections of this chapter, he shall forfeit for every such failure not less than fifty nor more than three hundred dollars. Penalty for further failure.

86. If any assessor fail to perform any duty required of him by law, and there be no other penalty imposed Further penalty for failure.—

by law for such failure, he shall forfeit for every such failure, not less than ten nor more than fifty dollars.

Compensation of assessor.

Fees of assessors

87. Each assessor shall be entitled to the following fees :

For making an entry or assessment of any parcel of land under the tenth section, one dollar for every such parcel, to be paid by the owner.

For making an assessment under the twenty-fifth section, one dollar, for which the parties among whom the land is divided shall be jointly and severally liable ; and where the assessor's decision is confirmed by the county court the party complaining shall pay the costs incurred by the application to the said court.

For making an entry transferring lands before charged to one person unto another, and striking the same from the land book in the name of the grantor in the deed, or other former owner, seventy-five cents, which shall be charged to the person to whom the transfer is made, and be a compensation for all land in the assessor's district conveyed or passing to such person by the same deed, descent, or devise, and the ticket made out for such fee shall state that the same is for the transfer and correcting the land book.

For entry of a grant according to the twenty-second section, a fee of twenty-five cents from the grantee, and fifty cents from him for assessing the land so granted.

Tickets for fees; how and by whom collected; penalty for issuing wrongfully.

88. The assessors may make out tickets for their fees, and place them in the hands of the sheriff or other officer, to be collected and accounted for in the same manner that fees of the clerk of a county or circuit court are collected and accounted for. The assessors shall be subject to the same penalties as the said clerks for issuing fee bills wrongfully.

Compensation of assessor to be paid by county.

89. Every assessor shall be entitled to receive in consideration of his services, to be paid out of the county treasury as other claims against the county are paid, such reasonable compensation as the county court may determine, not less than two hundred nor more than four hundred dollars per annum, or he may at his election be

allowed a commission of three per centum on the amount of state taxes assessed by him on the property in his county; and for services performed under the provisions of this chapter, the clerk of the county court shall be entitled to receive such reasonable compensation as the county court may allow to be paid from the county treasury.

Allowance to clerk of county court; how paid.

90. The auditor shall make his requisition on the civil contingent fund in favor of the several assessors for all postage advanced by them in the transmission of their books or correspondence touching the duties of their office, the accounts for which shall be verified by their affidavits.

Postage account of assessors, how verified and paid.

91. Unless the assessor exhibit to the county court the receipts of the proper officers, showing that the copies of the land book and personal property book have been delivered within the time prescribed in this chapter, or show to the satisfaction of the court that any delay which may have occurred was unavoidable, the court may refuse him any compensation, or may reduce his commission or allowance, as to them may seem right and proper.

When pay of assessor may be refused or reduced by court.

92. When one assessor begins in any year, and the office becomes vacant before the services to be rendered by him in that year are fully performed, in consequence whereof another is elected or appointed who completes the same, the sum to be paid for the whole service of the assessors in that year shall be apportioned by the county court between the assessor last mentioned and the former, according to the services by them respectively performed. If however, in consequence of any failure to deliver up books or papers which the former had, the latter has to proceed to take the list of taxable property, and do all that he would have to do in case there had been no previous assessor that year, then he shall receive all the compensation for the said year.

When and in what manner compensation of assessor may be apportioned, etc.

When assessor appointed to fill vacancy entitled to whole compensation.

Relief against taxes erroneously assessed.

93. After the assessor shall have verified and delivered

No alteration of the copies of the land book, or the book of personal property, no alternation shall be made by him in either, affecting the taxes of that year.

Party aggrieved by entry on books or assessment of license tax; may obtain redress, how,

94. Any person aggrieved by any entry in either book, or with any assessment of a license tax, or the valuation of any lands or buildings, may within two years after the date of the verification, where the entry is in either book, and within twelve months from the assessment of said license tax, apply for relief to the county court of the county wherein the assessor gave bond and qualified. But he shall, before any such application is heard, give reasonable notice to the prosecuting attorney of the county, whose duty it shall be to attend to the interest of the State, county, and district, in the matter.

Notice of application.

Duty of prosecuting Attorney

Duty of county court on such application.

Order made.

95. If the county court be satisfied that the applicant is erroneously charged on such book, or so assessed with any taxes on licenses, it shall certify the facts upon which it grants relief, and shall order that he be exonerated from the payment of so much as is erroneously charged, if not already paid, and if paid, that it be refunded to him.

Such order; to whom delivered

Effect of, as a restraining order.

When officer to refund money.

Voucher for sheriff in settlement with auditor.

96. Such order, delivered to the sheriff or other collecting officer, shall restrain him from collecting so much as is erroneously charged, or if the same has already been collected, shall compel him to refund the money, if such officer has not already paid it into the treasury; and in either case it shall be a sufficient voucher to entitle the officer to a credit for so much in his settlement with the Auditor.

If money erroneously charged, has been paid into State treasury, how recovered.

When application to be made.

97. If what was erroneously charged has been paid into the State treasury, the order of the county court attested by its clerk, shall entitle the claimant to a warrant on the State treasury for the amount thereof; provided, that application for the same be made to the Auditor within one year after the date of the said order.

County courts have sole jurisdiction to correct assessment; the decision final.

98. The county court of each county shall have the sole jurisdiction to hear, try and determine all applications to correct the assessment of lands, lots and person-

al property in their respective counties, and their decision in all cases shall be final. But this section shall not effect section eight of this chapter.

The grand jury to inquire into violation of the revenue laws.

99. It shall be the duty of every assessor to furnish the prosecuting attorney for the county a list of every violation of the revenue laws, committed by any person other than himself, showing the nature and character of each violation. And it shall be the duty of each attorney to deliver such list to the foreman of the grand jury who shall treat it as having been specially delivered in charge to the grand jury. The said foreman, after the grand jury is discharged, shall return such list to the clerk of the court, to be preserved and filed in his office. It shall also be the duty of the circuit and county court specially to charge the grand juries to inquire into all violations of the revenue laws by the assessor.

Duty of assessor and prosecuting attorney as to violations of the revenue laws, etc.

Duty of circuit and county courts as to —

100. The words "tax," "taxes," "taxable," and "taxation," in this act, shall be deemed to include county and district levies, in all cases not inconsistent with the context.

Definition of words "tax" "taxes," "taxable" and "taxation."

101. Taxes for county, district, city, town and village purposes shall be levied only upon the values of property ascertained for state purposes. *Provided:* That this section shall not apply to taxes for city purposes in cities of more than ten thousand inhabitants.

Taxes for county, district, city, etc., purposes, how levied. Proviso as to cities over 10,000 inhabitants.

102. This act shall not be construed to repeal an act passed on the 28th day of February, 1872, in reference to the Bruen survey of land.

Not to repeal act relating to Bruen Survey.

103. All acts and parts of acts inconsistent with this act are hereby repealed.

Acts repealed.

104. This act shall be in force from its passage.

Commencement.

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

CHAPTER LV.

AN ACT providing for the collection of taxes.

Approved, December 20, 1875.

Be it enacted by the Legislature of West Virginia.

*Who to collect taxes, when and how.*Taxes: by
whom collected.

1. The taxes assessed in any county under the provisions of the twenty-ninth chapter of the code, shall be collected by the sheriff or collector thereof.

When to
commence
collection of
taxes.

2. Each sheriff or collector shall commence his collection yearly on the first day of September, or as soon as he may receive a copy of the assessor's books; and may after the first day of December next thereafter, distrain therefor. In every case in which the sheriff or collector

May distrain;
when.Receipt and
statement of
sheriff or col-
lector for taxes,
on real and
personal;
what to contain
and how signed.

shall receive the total tax assessed on any person, he shall make out and deliver to the person paying the taxes, a statement and receipt showing the name of the person charged with the tax; the quantity of land charged, specifying separately each tract, and the quantity and value thereof; showing also the local description of the land and the district in which it is situated. He shall also show how much tax for state purposes, for county purposes, and district purposes, is charged on each of said tracts, and the aggregate thereof. All such receipts shall be signed by the officer collecting the same, in his official capacity. He shall also append to said receipt a state-

Statement to be
appended.

ment, either written or printed, on the face or back thereof, of the rate of taxation for each object for which the tax has been assessed. The said sheriff or collector shall also, in every case in which he shall receive the total tax assessed against any person on account of personal property or capitation, make out and deliver to the person paying the taxes, a receipt (separate from the receipt for taxes on real estate,) which receipt shall show, the value of the property and the district in which the property is situated and the purposes for which the taxes have been assessed, and the aggregate of such value and taxes, to which shall be appended the rate of taxation, to be made out as provided for real estate.

When taxes may be distrained for.

3. No distress shall be made for taxes where the sheriff or collector has had more than two years to collect the same, unless it be for taxes returned delinquent, and sent out by the auditor for collection, as provided by law. But a sheriff or collector of a former term may notwithstanding the expiration of his term of office, by himself or by his deputies, have the same powers of distress and sale as he possessed before said term expired; and which right of distress and sale shall continue for the term of two years from the time such right first accrued; but no deputy shall be permitted to qualify for such collections after the principal's office has expired.

When right to
distrain expires;
exception.

Within what
time to distrain
after term
expires.

When, and on what distress may be made.

4. Any goods or chattels in the county, belonging to the person or estate assessed with taxes, may be distrained therefor by the sheriff or collector.

What may be
distrained for
taxes.

5. The goods and chattels of the tenant or other person in possession, claiming under the party or estate assessed with taxes on land, may be distrained if found on the premises. But when taxes are assessed wholly to one person, on a tract or lot of land part of which has become the free-hold of another, by a title recorded before the commencement of the year for which such taxes are assessed, the property belonging to the owner of that part shall not be distrained for more than a due proportion of the said taxes.

Goods and chat-
tels of person
in possession
may be distrain-
ed in certain
cases and to
what extent.

6. Where taxes are assessed on a tract of land lying partly in one county and partly in another, the sheriff of the county in which the taxes are so assessed, may distrain therefor on that part of the land lying in the other county, in the same manner as if such part was in his county.

When distress
may be made in
county other
than that in
which land is
assessed.

7. No deed of trust, homestead, or mortgage upon goods or chattels shall prevent the same from being distrained and sold for taxes, assessed against the grantor in such deed or homestead, while such goods and chattels remain in the grantor's possession; nor shall any

Right to distrain
not affected by
deed of trust;
homestead or
mortgage, etc.

such deed or homestead prevent the goods and chattels conveyed or so held from being distrained and sold for taxes assessed thereon, no matter in whose possession they may be found.

Remedy without distress.

Collection of taxes out of money or property in hands of another.

Officer may apply to such person for payment

Payment, if made a good set-off.

How payment may be compelled.

Proceedings in such cases.

Taxes a lien from service of summons.

If party summoned fail to appear, judgment given against him, etc.

Proceedings and judgment where party appears.

8. Where the officer cannot find sufficient goods or chattels to distrain for taxes, any person indebted to, or having in his hands estate of the party assessed with such taxes, may be applied to for payment thereof out of such debt or estate, and a payment by such person of the said taxes, either in whole or in part, shall entitle him to a charge or credit for so much on account of such debt or estate, against the party so assessed. If the person applied to do not pay so much as it may seem to the officer ought to be recovered on account of the debt or estate in his hands, the officer shall, if the sum due for such taxes do not exceed twenty dollars, procure from a justice a summons, directing such person to appear before some justice at such time and place as may seem reasonable; and if the sum due exceed twenty dollars, shall procure from the clerk of the county court of the county a summons directing such person to appear before the court of the county on the first day of the next term thereof for the trial of causes. And from the time of the service of any such summons, the said taxes shall constitute a lien on the debt so due from such person, or on the said estate in his hands.

9. If such summons be returned executed, and the person so summoned do not appear, such justice or court shall proceed to enter up such judgment, or make such order as to him or it may seem proper upon evidence before him or it.

10. If the person so summoned appear, he shall be interrogated on oath, and such evidence may be heard as shall be adduced, and such judgment shall be rendered as upon the whole case shall seem proper.

Taxes paid by tenants.

11. A tenant from whom payment shall be obtained by distress or otherwise, of taxes due from a person under whom he holds, shall have credit for the same against such person out of the rents he may owe him, except where the tenant is bound to pay such tax by an express contract with such person.

Tenant paying taxes to have credit therefor on rent.

Exception.

12. Where a tax is paid by a fiduciary on the interest or profits of moneys of an estate laid out or invested, either under an order of court or otherwise, the tax shall be refunded out of such estate.

Tax paid by fiduciary to be refunded out of estate.

Lists returned of uncollected taxes.

13. The sheriff or collector, after ascertaining which of the taxes assessed in his county cannot be collected, shall, as soon practicable in each year, on or before the first Monday in May following the year for which such taxes were assessed, make out lists of three classes of uncollected taxes :

Lists of uncollected taxes to be made out by sheriff or collector; when.

First. A list of real estate which is improperly placed on the assessor's books, or is not ascertainable, with the amount of taxes charged on such property, which shall be in the following form :

Form for unascertainable real estate.

Form.							
NAME OF PERSON CHARGED WITH TAXES.	Quantity of land.	Estate held.	Description and location of land.	Distance and bearing from court house.	State tax for State purposes.	State tax for school purposes.	County tax for all purposes.
DISTRICT.							Notes and explanations.

Form of oath to
be appended
thereto.

And the sheriff or collector, returning the list, shall at the foot thereof make and subscribe the following oath: "I, A. B., sheriff (deputy sheriff or collector) of the county of — do swear (or affirm) that the foregoing list is, I verily believe, correct and just, and that I have received no part of the taxes assessed against the property so returned.

Secondly. A list of real estate which is delinquent for the non-payment of taxes assessed thereon, which shall be in the following form:

A list of real estate delinquent for the non-payment of taxes thereon for the year —.

Form for real
estate delin-
quent.

NAME OF PERSON CHARGED WITH TAX- ES.	Quantity of land.	Estate held.	Description of land.	Distance and location from court house.	State taxes for all purposes.	State tax for school purposes.	County tax for all purposes.	County tax for district purposes.	Notes and explanations.
DISTRICT.									

Form of oath to
be appended
thereto.

The sheriff or collector returning the list shall at the foot thereof make and subscribe the following oath: "I, A. B., sheriff (deputy sheriff or collector) of the county of — do swear (or confirm) that the foregoing list is, I verily believe, correct and just; that I have received no part of the taxes assessed against the property so returned, and that I have used due diligence to find property liable to distress for said taxes, but have found none."

Thirdly. A list of such of the taxes so assessed on

persons and on personal property as he is unable to collect, which list shall be in the following form:

A list of persons and personal property delinquent for the non-payment of taxes thereon for the year —.

NAME OF PERSON CHARGED WITH TAXES.	Number of capita- tions.	Total value of personal property charged.	Total tax for State and school purposes unpaid.	County tax for county and dis- trict purposes unpaid.	Why returned delinquent.
DISTRICT.					

Form.

The sheriff or collector returning the list shall at the foot thereof make and subscribe the following oath: "I, Form of oath to be appended thereto.
A. B, sheriff (deputy sheriff or collector) of the county of — do swear (or affirm) that the foregoing list is, I verily believe correct and just; I have received no part of the taxes assessed against the persons named in foregoing list, beyond that stated, and that the amount thereof so returned is delinquent for non-payment thereof. I further swear (or affirm) that I have used due diligence to find property liable to distress therefor, but have found none."

14. A copy of each of the lists, after being verified as aforesaid by the oath of the sheriff, deputy sheriff or collector shall be posted at the front door of the court house, of the county, on a court day during the term next preceding that at which the list may be presented to the court under the following section. Copies of such lists to be verified and posted: when, and where.

List to be presented to the court.

Duty of court in relation thereto.

Original lists to be preserved by clerk.

Delinquent lists how recovered.

Sheriff not to receive taxes mentioned in such lists.

Exceptions.

Penalty on officer for false returns.

Duty of clerk as to copies of lists to be sent to auditor.

When sheriff entitled to credit therefor.

When taxes must be paid into the treasury.

15. Each of the said lists shall be presented to the court of the county and examined by the court. The court being satisfied of the correctness of the said lists, or having corrected them, if erroneous, shall direct the clerk to certify copies thereof to the auditor. The original lists shall be preserved by the clerk in his office and the list of real estate which is delinquent for the non-payment of taxes, shall be recorded in a well bound book kept for that purpose. After the said copies are so directed to be certified, the sheriff shall not receive any of the taxes mentioned in the said lists except in cases where it is otherwise provided by law.

16. Any officer, who shall return in any such list real estate, persons or property, as delinquent for the non-payment of taxes, when such taxes, or any part thereof, shall actually have been received by him, shall forfeit, if the return was by design, ten times the amount of taxes so actually received, and if the return was by mistake, twice the amount; one half of which forfeiture shall in each case be to the State, and the other half to the persons charged with such taxes. And any such officer who shall return in such list any real estate, persons or property as delinquent, when he had either found, or by using due diligence might have found sufficient property within his bailiwick, liable to distress for the taxes for which such real estate, persons or property are returned delinquent, shall forfeit to the State a sum equal to five times the amount of said taxes.

17. The copies of lists directed to be certified to the auditor, shall be placed by the clerk in a sealed envelop directed to that officer, and delivered to the sheriff or collector by whom the lists were returned. The auditor shall credit the sheriff with the amount of taxes mentioned in such lists, if the said lists be presented at his office before the last instalment of his taxes shall be payable.

18. The taxes assessed under the 29th chapter of the code of West Virginia, and collected under this chapter, shall be paid into the Treasury as follows: One half of such taxes shall be paid on or before the twentieth day

of January ; one-fourth on or before the first day of May, and the remaining one-fourth thereof on or before the first day of August next, after the delivery of the assessors books. A sheriff who may not have qualified, or who may not have received the books of the assessor, before the first day of October shall be allowed six months, from his qualification, or the delivery of said books to such sheriff, to pay the first instalment into the Treasury ; eight months for the second ; ten months for the third.

Additional time
allowed in
certain cases.

19. In case of a failure so to pay, proceedings may be had according to the thirty-fifth chapter, and from the time a notice shall be served under the said chapter on any sheriff or collector or his securities, the property of such sheriff or collector and securities shall be bound for the payment of any judgment which may be rendered upon such proceeding in the same manner that property is bound upon delivery of a writ of *feri facias*, to a sheriff or other officer and shall operate as a lien on the real estate of such sheriff and his securities from the time of the service of each notice. The right of the State to proceed by notice or otherwise against the sheriff or collector and his securities shall not be affected thereby.

Proceedings
against officer
failing to pay.

To be a lien
from time of
service of notice

Right to proceed
by notice or
otherwise re-
served to the
State.

There shall be no limitation to proceedings on judgments on behalf of the State, or any claim due the State.

No limitation
to proceedings
on behalf of
State.

Rate of interest chargeable to sheriff in default.

20. Every sheriff or collector who does not pay the same into the treasury within such time as to be entitled to the additional compensation allowed for punctual payment, shall be charged with interest on the revenue so due and unpaid, from the time when the same was regularly payable into the treasury. The said interest shall be at the rate of twelve per centum per annum.

Officer failing to
pay to be
charged with
interest.

Rate of

Auditor may appoint collector.

21. The Auditor may appoint a collector in any county to collect arrears of taxes therein, and may allow him a reasonable compensation, to be agreed on, (before the

Collector may
be appointed ;
when and how.

His compensation.

Time allowed such collectors to collect and account his; bond.

Where bond filed.

Duty of Auditor as to collection of all claims for taxes, etc., transferred by the State of Virginia to this State.

Sheriff or collector to give notice of times and places at which taxes will be received.

When and where notice to be posted.

Penalty on officer for failure to give notice.

service is commenced) and approved by the Executive, which compensation shall not exceed ten per centum on what may be collected and paid into the public treasury.

22. Such collector shall have reasonable time allowed him by the Auditor, and shall, before he acts, execute a bond, approved by the said Auditor, conditioned that he will faithfully collect the said arrears of taxes, and account for and pay the same into the treasury within the time so allowed. The said bond shall remain filed in the Auditor's office.

23. The Auditor shall institute all the necessary and appropriate measures for the collection of all claims for taxes and other demands transferred by the Commonwealth of Virginia to this State by an act of the general assembly of said commonwealth, entitled, "an act transferring to the proposed State of West Virginia, when the same shall become one of the United States, all the State's interest in property, unpaid and uncollected taxes, fines, forfeitures, penalties and judgments in counties embraced within the boundaries of the proposed State aforesaid," passed on the third day of February, 1863.

24. It shall be the duty of sheriff or collector to give notice by posting at each place of voting, and at not less than six other public places in the district, for at least twenty days before the time appointed, that he will attend at such voting places on two several days, to be fixed by him, one of which, if practicable, shall be a day fixed for a public meeting of the people of the said district, between the first day of November and the first day of December following, for the purpose of receiving taxes due by the people residing in or paying taxes in said district; and that he will make a discount of two and a half per centum to all such persons as shall pay all their taxes on or before the last named day, and not otherwise, which discount shall be made on the whole amount of tax so collected by said sheriff or collector, and shall be deducted from his commissions. Such notice shall be posted on or before the first day of October in each year; any sheriff or collector failing to post the

same, shall forfeit one hundred dollars for every such failure.

25. So much of chapter thirty of the Code of West Virginia as is in conflict with this act and all other acts in conflict herewith, are hereby repealed. Conflicting acts repealed.

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

CHAPTER LVI.

AN ACT to provide for the removal of causes pending in one court to another.

Approved, December 21, 1875.

Be it enacted by the Legislature of West Virginia:

1. Where any suit, motion, or other proceeding (which might have been brought or had in the circuit court) shall have remained pending in a county court more than one year without being determined, such court, on the motion of any party to such suit, motion or other proceeding, or his representative (without notice,) shall order it to be removed to the circuit court having jurisdiction over such county. Removal of causes from one court to another; when and how.

2. On motion of any party to any suit, motion or any proceeding in a county court (which might have been brought or had in a circuit court,) who desires to remove the same into the circuit court having jurisdiction over such county, the said circuit court, or the judge thereof in vacation, after twenty days' notice to the adverse party, shall order such removal; but in no case shall such order be made unless from the date of such order at least twenty days will intervene before the first day of the next succeeding term of such circuit court. Removal of such causes by judge in vacation; when.

3. When any such suit, motion or other proceeding is ordered to be removed, under this act, the clerk of the court, from which shall transmit to the clerk of the court Notice to be given. What time must intervene from date of order and first day of next succeeding term of court Duty of clerk of court from which cause is removed.

How case
proceeded in.

Costs attending
removal; how
charged.

Causes removed
when docketed
and tried.

Commencement

to which it is removed, the original papers therein, with the copies of all rules and orders made, and a statement of the costs incurred by each party therein, whereupon the case shall be proceeded in, heard and determined by the court to which it is removed, as if it had been brought, and the previous proceedings had in said court. The costs attending such removal shall be charged as may be thought just by the court, from which, or if it make no order on the subject, by the court to which the case is removed.

4. All suits, motions and proceedings removed under the provisions of this act, shall be docketed by the clerk of the court to which the removal is made at the next term of such court, and shall be tried at said term of such court, unless good cause for a continuance shall be shown.

5. This act shall be in force from and after its passage.

[NOTE BY CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

CHAPTER LVII.

AN ACT concerning the Weston and West Fork railroad company.

Approved, December 21, 1875.

Be it enacted by the Legislature of West Virginia :

Company
authorized to
extend road,
and to construct
branch road.

1. The Weston and West Fork railroad company are hereby authorized to extend their road to Glenville, in the county of Gilmer, and to construct a branch to Buckhannon, in the county of Upshur.

Stock sub-
scribed, and
payable in
bonds of county,
such bonds may
be exonerated
from any levy,
etc., how.

2. If any county has, or shall subscribe stock in said railroad company, payable in the bonds of such county, the county court of any county so subscribing, may by order entered of record, exonerate said bonds from any levy for county purposes.

CHAPTER LVIII.

AN ACT to amend and re-enact section ten of an act entitled "an act amending and re-enacting an act entitled 'an act regulating and fixing the fees of officers,' approved March 21, 1873."

Approved, December 21, 1875.

Be it enacted by the Legislature of West Virginia :

1. That section ten of the act entitled "an act amending and re-enacting an act entitled 'an act regulating and fixing the fees of officers,' approved December 20, 1872 ; ' approved March 21, 1873," be amended and re-enacted so as to read as follows :

Presidents of the County Courts and Justices of the Peace.

"10. Presidents of the county courts shall receive four, and justices of the peace three dollars per day for every day they serve in court, to be paid out of the county treasury.

Sec. ten chapter 51 acts 1872-3, amended.

Per diem of presidents of county courts and justices for services in court.
How paid.

For other services performed by presidents of the county courts, they shall receive the same fees as justices for like services. Justices shall have specific fees in each case as follows :

For other services presidents to receive same fees as justices.
Specific fees of justices.

For summons to commence suit, 20 cents.

For every copy thereof, 10 cents.

For every additional summons in same action, 15 cents.

For a copy thereof, 10 cents.

For docketing an action commenced by appearance and agreement 20 cents.

For entering order of arrest, order of commitment or order of attachments, 25 cents.

For every subpoena for witness, 10 cents.

For order of arrest against delinquent witnesses, or in any case of contempt, and for trial and judgment in such case, 75 cents.

For swearing each witness, arbitrator or party, 5 cents.

For taking and certifying any affidavit in writing, 20 cents.

Or 10 cents per hundred words at the option of the justice.

For every continuance, 10 cents.

For appointing a guardian for the suit of an infant plaintiff or defendant, 10 cents.

For appointing a special constable at the request of either party, 25 cents.

For settling and allowing interrogatories, 25 cents.

For entering agreement for arbitration, 10 cents.

For summons to arbitrators, 15 cents.

For every undertaking filed in the suit, 25 cents.

For trying a case where defense is made, 50 cents.

For trying a case where there is no defense, 25 cents.

For entering judgment, 25 cents.

For abstract of judgment for record in clerk's office, 25 cents.

For transferring judgment on docket, 25 cents.

For entering satisfaction of judgment, 10 cents.

For issuing execution. 25 cents.

For issuing every additional execution, 20 cents.

For entering stay of execution, 20 cents.

For trying right of property levied on or attached, 50 cents.

For taxing costs, 20 cents.

For filing the papers in each suit, 10 cents.

For every process or order not otherwise provided for, 25 cents.

For transcript from docket and other writings, and copies not otherwise provided for, 25 cents.

Or 10 cents per hundred words at the option of the justice.

For transmitting or delivering papers to clerk of county court in case of an appeal, 50 cents.

For transmitting papers to clerk of county court where case is removed without trial, 50 cents.

For taking and certifying acknowledgments of deed or other instrument of writing, 25 cents.

If executed by a married woman, twenty-five cents in addition for certifying her examination and acknowledgment, 25 cents.

For taking depositions of witnesses if done in an hour or less, 75 cents.

If not done in an hour, for any additional time at the rate per hour of, 75 cents.

For certifying proof of account or claim against a testator or inestate, 15 cents.

Justices shall be paid the following fees out of the Fees of justices to be paid out of county treasury. county treasury, on the order of the county court :

For the examination of a lunatic, \$3.00.

For taking an inquest on a dead body, \$5.00.

For the examination of a case of misdemeanor, when the same cannot be collected from the party adjudged to pay the costs, \$1.00.

For the examination of a case of felony, \$2.00.

CHAPTER LIX.

AN ACT to amend and re-enact the one hundred and twenty-fifth section of the two hundred and twenty-sixth chapter of the Acts of 1872-3.

Approved, December 21, 1875.

Be it enacted by the Legislature of West Virginia :

That the one hundred and twenty-fifth section of the Acts of 1872-3 amended. two hundred and twenty-sixth chapter of the acts of 1872-3, be amended and re-enacted so as to read as follows :

"125. If upon the trial of an appeal from the judgment of a justice, the appellant do not recover five dollars in excess of the judgment appealed from, or reduce it five dollars if it be against him, exclusive of interest and costs, the appellant and those who signed the bond, shall pay the costs of the appeal, except in cases involving the title to specific personal property, or the possession of real estate, the freedom of a person, the validity of a law or an ordinance of any corporation, or the right of any corporation to levy tolls or taxes. In such cases Costs of appeal, When appellant to pay. costs shall be awarded as the court may deem just." Excepted cases ; When costs awarded as court deems just.

CHAPTER LX.

AN ACT prescribing the time within which school trustees and members of the board of education shall qualify.

Approved, December 21, 1875.

Be it enacted by the Legislature of West Virginia :

When certain school officers to qualify.

1. That every school trustee, and every president and commissioner of the board of education elected within this State shall within ten days after his election has been duly declared, qualify as such by taking and subscribing, before some one duly authorized to administer oaths within his county, the oath of office prescribed in section five of article four of the constitution, which oath shall be filed with the secretary of the board of education of his district.

Where oath filed.

CHAPTER LXI.

AN ACT authorizing the payment of the sum of ninety-eight dollars and eighty-four cents to Dr. D. Mayer.

Approved, December 21, 1875.

Be it enacted by the Legislature of West Virginia :

Auditor authorized to pay Dr. D. Mayer, \$98.84.

1. That the auditor be, and he is hereby authorized to pay to Dr. D. Mayer, the sum of ninety-eight dollars and eighty-four cents, the amount due him for service as commissioner of immigration.

CHAPTER LXII.

AN ACT changing the times of holding the circuit courts for the county of Morgan.

Approved, December 21, 1875.

Be it enacted by the Legislature of West Virginia :

1. That the times of the circuit court for the county

of Morgan shall hereafter commence on the first Tuesday in May, and the fourth Tuesday in September, in each year. Circuit court terms of, for Morgan county.

2. All acts or parts of acts inconsistent with this act are hereby repealed. Inconsistent acts repealed.

CHAPTER LXIII.

AN ACT repealing and re-enacting sections twenty-three and thirty of chapter fifty-four of the Code.

Approved, December 21, 1875.

Be it enacted by the Legislature of West Virginia:

1. That sections twenty-three and thirty of chapter fifty-four of the Code, be amended and re-enacted so as to read as follows: Code amended.

"23. The stockholders or directors of any corporation formed under or accepting the provisions of this chapter, may hold meetings for the transaction of the lawful business of the corporation, including the first general meeting for the purposes of organization, and may keep their principal office in any state or territory of the United States, in the District of Columbia, or in any foreign country; but no meeting shall be held out of this state, without the concurrence of persons holding a majority in value of the stock of the company nor without reasonable notice. Joint stock companies; meetings of, may be held out of and office kept in, any state or in any foreign country.

"30. Any incorporation duly incorporated by the laws of any state or territory of the United States or of the District of Columbia, or of any foreign country, holding property or transacting business in this state, unless it be otherwise expressly provided, shall have the same rights, powers and privileges and be subject to the same regulations, restrictions and liabilities that are conferred and imposed by this and the fifty-second and fifty-third chapters on corporations chartered under the laws of this state. But all such foreign corporations shall file with the secretary of state, a copy of their articles of association, and of the law or authority under which they are Foreign corporations; rights and liabilities of, in this state.

Such company to file with secretary of state copy of articles of association, etc.

Certificate to be issued by secretary of state.

Where recorded.

To file in clerks office copy of articles of association.

Fee of secretary of state for granting certificate.

incorporated, and a certificate shall be issued by the secretary of state, and be recorded by the company in the county in which they hold their property, or in which their business is conducted, and also place on file in the county clerk's office, a copy of their articles of association; and the secretary of state shall receive a fee of ten dollars for granting said certificate.

CHAPTER LXIV.

AN ACT to authorize the county courts to levy a tax on dogs for the purpose of raising a fund with which to reimburse owners of sheep from injury thereto by dogs; and to repeal section forty-five of chapter thirty-nine of the code.

Approved, December 21, 1875.

Be it enacted by the Legislature of West Virginia :

County courts authorized to levy tax on dogs.

May require assessors to ascertain number of dogs, etc., and report.

Court may discriminate as to owners of more than one dog, and increase amount of tax on each additional dog.

Tax levied; by whom paid.

Who deemed owner of dogs, etc.

Penalty on person for concealing dog, etc.

1. That the several county courts may levy a tax on dogs owned or kept in their respective counties, and to enable them to exercise this power they may require the assessor to ascertain annually all the dogs in their districts or counties, and make return thereof to their respective courts.

2. In levying such tax the said courts may discriminate as to each house-keeper, or owner of more than one dog, by increasing the amount of tax upon each additional dog.

3. The tax so levied shall be paid by the persons respectively in whose name the dogs shall be listed and the owner or occupier of every house, lot or farm, about or on which any dog may be kept, or permitted to remain, for the purposes of this act shall be deemed the owner of such dog.

4. If any person shall conceal his dog, or send him from house to house, or to any place for the purpose of avoiding the tax, he shall pay a fine of five dollars.

5. Every person, when called on by the assessor, shall disclose, on oath, the number of dogs owned by him, or kept, or permitted to remain about any house, lot or farm in his occupancy; and such oath may be administered by the assessor.

Persons to disclose an oath to assessor, number of dogs, etc.

Assessor to administer oath.

6. The taxes imposed upon the dogs of any county, shall be collected and accounted for by the sheriff of such county, as county levies are collected and accounted for; and to that end it shall be the duty of the court, in convenient time, to cause a list to be delivered to such sheriff, containing the names of all persons charged with a dog tax, and the amount assessed against each.

Taxes imposed upon dogs; how collected and accounted for.

List of persons charged with dog tax, and the amount, to be delivered to sheriff.

7. The court shall cause a list of all persons failing to pay the dog tax assessed against them, and by the sheriff returned delinquent for non-payment of dog tax, to be delivered to the constables of the districts in which they reside, with the number of dogs listed to each, and the amount of tax assessed severally against each; and it shall be the duty of such constable, upon receiving such list, forthwith to search out and kill every dog in respect to the tax on which the owner shall be delinquent; (where there are more than one constable in the district, the court shall designate which shall act;) and any person who shall conceal a dog for the purpose of evading the provisions of this section shall pay a fine of five dollars. But no dog shall be killed by virtue of this section whose owner shall pay to the constable the tax in respect to which he is so delinquent; and it shall be the duty of such constable, before killing any dog, by virtue of this section to notify the owner of such delinquency, and of the amount of tax he is required to pay.

List of persons failing to pay such tax to be delivered to constable, with number of dogs and tax assessed.

Duty of constable upon receiving such lists.

When court to designate which constable shall act.

Penalty for concealing dog.

If delinquent tax paid, dog not to be killed.

Officer before killing to notify owner of delinquency and amount of tax

8. Each constable receiving such list shall make due return to his county court, at such time as the court shall direct, of the manner in which he has discharged his duties respecting the same, and shall pay over to the sheriff, or the person appointed to receive the same, any tax collected by him; and he shall, moreover be liable for the tax assessed upon every dog enumerated in such list of which he shall fail to return a satisfactory account to the court.

Return to be made by constable.

To pay over tax as collected, to sheriff, etc.

Liability of constable for tax assessed on every dog enumerated in list, unless accounted for satisfactorily.

Commission of
sheriff for
collecting and
paying out dog
tax—

Proviso as to
amount received
from constables.

Compensation
of constables;
how paid.

Their liability.

Constable or
other persons
collecting under
this act to pay
to the sheriff.

Take duplicate
receipts.

To file one with
clerk.

Clerk to charge
sheriff with
amount.

Sheriff to have
charge of all
moneys accru-
ing, etc.

How such
moneys dis-
posed of.

Settlement to
be made by
officers collect-
ing such tax
and fines.

Proceedings on
complaint, by
an inhabitant of
county in which
tax on dogs shall
be levied, that
sheep owned by
him have been
destroyed or
injured.

9. For collecting, accounting for and paying out the dog tax, the sheriff shall be allowed the like commission as is allowed for collecting and accounting for the county levies; provided, however, that for so much thereof as he receives from the constables upon said lists, he shall, for accounting for and paying out the same, be allowed one half commission.

10. The constables shall be allowed by their respective courts a just compensation for the service required of and performed by them under this act, to be paid out of such dog tax, and they and their sureties shall be liable on their official bonds upon motion in said county courts, for any money received by them, which they may be liable to pay by virtue of this act.

11. The constables or other persons collecting any money under this act, whether it be taxes or fines imposed, shall pay the same to the sheriff of the county, taking duplicate receipts therefor, one of which he shall file with the clerk of the county court, who shall charge the sheriff with the amount of the same. The sheriff shall have charge of all the moneys accruing from the tax upon dogs, or from fines imposed under this act, collected within his county, and the same shall constitute a fund for remunerating the inhabitants thereof for any loss they may sustain by injury done to their sheep by dogs within their county.

12. It shall be the duty of the sheriffs, constables or other officers collecting such dog tax and fines, to make such settlements as are required of persons collecting the county levy.

13. Upon the complaint before a justice by any inhabitant of a county in which a tax on dogs shall be levied, that sheep owned by him have been destroyed or injured by dogs within his county, the justice shall, by warrant under his hand, appoint not less than two nor more than three discreet free-holders, residing in the county, and near the locality where the injury is alleged to have been done, whose duty it shall be to proceed forthwith, upon actual view and such other information

as may be accessible, to ascertain the truth of the complaint, and the value of the injury, if any, which has been sustained, and make report thereof in writing under their hands together with the warrant of the justice to the county court of such county.

14. At the end of every year, or at such time as the county court may direct, the sheriff shall report to the court the amount of money in his hands arising from the tax on dogs, and from fines imposed under this act, and for which he is accountable; the county court shall then, or as soon thereafter as convenient, audit the claims reported to the court under section thirteen of this act, and allow each claim in full or so much thereof as it seems to the court should be allowed; the said court having full power to correct the valuation and amount reported by said free-holders; and after auditing such claims as should be paid out of said funds, if the funds are sufficient to pay the whole thereof, shall give orders thereon to the persons entitled thereto, to be paid by the sheriff out of said fund. But if it shall appear that there is not sufficient funds in the hands of the sheriff to pay the amount of claims audited, the court shall give such orders for the proper "pro rata."

Report to be made by sheriff to court.

Court to audit claims reported for injury, &c., to sheep and pay in full or in part; court having power to correct valuation or amount.

Where funds are sufficient to pay all claims.

Where funds are insufficient.

15. The county courts may, from time to time, make such orders about said fund as may be necessary for the preservation thereof, and any surplus that may remain at the end of any year, shall be added to the funds collected for the next year, and be likewise expended.

Court to make necessary orders for preservation of fund, etc.

16. The county court of any county may and upon the application and petition, in writing of one hundred resident free-holders of the county, shall submit to the qualified voters of the county whether a tax shall be levied up the dogs in such county under provisions of this act. Such submission shall be at some general election; if, upon petition, as aforesaid, at the first general election after the filing of said petition in court. The ballots used at such election shall have written or printed on them respectively: "For the tax on dogs," and "against the tax on dogs." Provided, that if any bal-

County court to submit to the qualified voters, whether a tax shall be levied on dogs; how and when.

Ballots; what to have written or printed on.

Proviso as to ballots voted without such inscription.

Election ; how
certified and to
whom returns
made.

To be entered in
order book ;
when.

A majority
necessary to
authorize such
tax.

County court of
its own motion
may submit the
question of tax-
ing dogs to the
voters ; upon
petition it shall
be submitted.

Section 45 of
chapter 39 of
code repealed.

Construction of
words "county
court" and
"clerk of county
court."

lots are used or voted without such inscription, that fact shall not affect the election or validity of the vote on that subject, and such vote shall in all respects be counted and certified as in other cases ; except that a certificate of the number of votes cast for or against the tax on dogs shall be returned to the clerk of such county court, and the same shall be entered on the order book of the court at its first term after such certificate is returned. And if a majority of the voters upon that subject be in favor of such tax, the said court shall, from year to year thereafter, levy such tax ; but if such majority be against the tax on dogs, then the court shall levy no tax under this chapter, unless at some future time, when the question may be submitted as aforesaid, a majority being in favor of such tax.

17. The question of taxing dogs in any county, under this chapter, may be submitted to the voters of the county at any general election by the county court of its own motion. But upon such petition, as aforesaid, the same shall be so submitted.

13. That section forty-five of chapter thirty-nine of the code is hereby repealed.

19. Wherever the words "county court" occur in this act they shall be construed to mean such tribunal as may be organized in any county in lieu of the county court, and the words "clerk of the county court" shall be construed to mean the clerk of such other tribunal.

CHAPTER LXV.

AN ACT to amend and re-enact section six of chapter one hundred and ninety of the Acts of 1872-3.

Approved, December 21, 1875.

Be it enacted by the Legislature of West Virginia :

Acts of 1872-3,
amended.

1. That section six of chapter one hundred and ninety of the Acts of 1872-3, be and the same is hereby amended and re-enacted so as to read as follows :

"6. He shall deliver one copy of each volume of the said reports as soon as practicable to the West Virginia University; one copy to the attorney general; one copy to each judge of the supreme court of appeals, and of the circuit courts, and transmit two copies to the congressional law library at Washington, District of Columbia; five copies to the law association of Jefferson, at Charleston; five copies to the Ohio county library, at Wheeling, and five copies to the clerk of the court of appeals for the use of the supreme court, at Charleston.

Secretary of State to deliver copy of each volume of the West Virginia reports certain institutions and persons.

CHAPTER LXVI.

AN ACT to amend and re-enact sections two and three, of chapter one hundred and eighteen of the Acts of 1872-3, and also to amend and re-enact sections forty, forty-one, forty-two and forty-four of chapter one hundred and eighteen of the Acts of 1872-3, entitled "An act making general provisions for elections by the people, and providing for filling vacancies," as amended by chapter one hundred and seventy-seven of the Acts of 1872-3, approved December 20, 1873, entitled, "An act to amend and re-enact sections forty, forty-one, forty-two and forty-four, of the Acts of 1872-3, passed April 11, 1873, concerning elections by the people, and filling vacancies."

Approved, December 21, 1875.

Be it enacted by the Legislature of West Virginia:

1. That sections two and three, of chapter one hundred and eighteen, of the acts of 1872-3, and sections forty, forty-one, forty-two and forty-four, of chapter one hundred and eighteen of the Acts of 1872-3, as amended by chapter one hundred and seventy-seven, of the Acts of 1872-3, entitled "An act to amend and re-enact sections, forty, forty-one, forty-two and forty-four of chapter one hundred and eighteen, of the acts of 1872-3, passed April 11, 1873, concerning elections by the people, and filling vacancies," be amended, and re-enacted so as to read as follows:

Acts of 1872-3 amended.

Election of members of the legislature, governor, state officers, judges, of courts and county officers; when.

"2. At the said election in 1876, and every two years thereafter there shall be elected delegates to the legislature, and one senator from each senatorial district. And in the year eighteen hundred and seventy-six, and every fourth year thereafter, a governor, state superintendent of free schools, treasurer, auditor and attorney general for the state, a prosecuting attorney, one or more judges of the Supreme Court of Appeals, surveyor of lands, sheriff, president of the county court, the number of assessors prescribed by law for each county, constables and justices of the peace, as many as are prescribed by law for each county district. And in the year 1878, and every sixth year thereafter, a clerk of the circuit court, and a clerk of the county court. And in the year 1880, and every eighth year thereafter, a judge for each judicial circuit."

Elections for president and vice-president, and members of congress; when elected.

"3. Electors for president and vice president of the United States for this State, and a representative in the Congress of the United States, for the term beginning on the fourth day of March next after the election, for each congressional district, shall be chosen by the voters of the state, at an election to be held for the purpose, on the Tuesday next after the first Monday in November, in the year 1876; and, in the case of electors for president and vice president, every fourth year thereafter; and, for the election of representatives in congress, every second year thereafter; and at least sixty days before such election, if the election be for electors for president and vice president, the governor, by proclamation published in some newspaper in every county where a newspaper is printed, shall give notice of the time of such election, and the number of electors to be chosen."

Governor to give notice of elections by proclamation.

Elections to fill vacancies to be for unexpired term.

When held.

How superintended, conducted and result ascertained.

"40. Elections to fill vacancies shall be for the unexpired term, and except where otherwise provided by the provisions of this chapter, shall be held at the general election next ensuing after a vacancy shall occur, and shall be held at the same place as other elections, and superintended, conducted and returned, and the result ascertained, certified and declared in the same manner,

and by the same officers ; and the persons elected having first duly qualified shall enter upon the duties of their respective offices within ten days after the result of the election shall have been declared according to law : **Pro-** When to go into office.
vided, that any officer elected to fill a vacancy who **is** Proviso permit-
required, by the provisions of section thirteen of chap- ting certain
ter forty-two of the acts of 1872-3, to qualify and give office to qualify
bond before county court, may qualify and give bond be- before clerk of
fore the clerk of the county court. county court.

“41. In case of the death, conviction on impeachment, Office of
 failure to qualify, resignation or other disability of the governor ;
 governor, the president of the Senate shall act as gov- vacancy in, how
 ernor until the vacancy is filled or the disability is re- filled.
 moved, and if the President of the Senate, for any of the
 above-named causes shall become incapable of perform-
 ing the duties of governor, the same shall devolve upon
 the Speaker of the House of Delegates ; and in all other
 cases, where there is no one to act as governor, one shall
 be chosen by joint vote of the Legislature. Whenever a
 vacancy shall occur in the office of governor before the When such
 first three years of the term shall have expired, it shall vacancy to be
 be the duty of the person acting as governor, to issue a filled at general
 writ of election to fill such vacancy at the next general election.
 election.”

“42. When a vacancy has occurred or shall occur in Office of judge
 the office of Judge of the Supreme Court of Appeals, or of supreme
 of any judge of any circuit court, the governor may, if court appeals,
 the Senate be not in session, appoint and commission a and circuit
 judge to fill such vacancy till such time after the next court ; vacan-
 general election as the person who may then be elected cies in, how
 to fill such vacancy, shall qualify ; provided, however, filled.
 that such appointment shall be submitted to the Senate
 at its next session thereafter, and if disapproved (on a
 vote by yeas and nays,) by a majority of the Senators
 elected, such appointee shall cease to be judge ; and in
 that case, or if the vacancy occur during the session of
 the Senate, or be not filled until the Senate meets, the
 governor shall nominate and by and with the advice and
 consent of the Senate, (a majority of all the Senators
 elected concurring by yeas and nays,) appoint and com-

mission a judge to fill such vacancy till such time after the next general election as the person who may be elected to fill such vacancy shall qualify; and the governor shall issue a writ of election to fill such vacancy for the unexpired term, at the next general election; provided, that if the vacancy occur in the Supreme Court of Appeals, and the unexpired term be less than two years, the governor shall appoint a judge to fill such vacancy, for the whole of the unexpired term. If from any cause the office of Auditor, Treasurer, State Superintendent of Free Schools, or Attorney-General, shall be or become vacant, it shall be the duty of the governor to fill the same by appointment; and the appointee shall hold his office until his successor shall be elected and qualified according to law. If there be a vacancy in the representation from this State in the Congress of the United States, the governor shall, within ten days after the fact comes to his knowledge, give notice thereof by proclamation to be published in such newspapers in the district where such vacancy may occur, as he may deem best calculated to give information thereof to the voters of such district; and in such proclamation he shall appoint some day not over sixty nor less than thirty days from the date thereof, for holding the election to fill such vacancy, which election shall be held accordingly; and the governor shall issue writs of election directed to the sheriffs of the counties included in such districts; and every such sheriff on the receipt thereof, shall give notice of the same to the several commissioners of election in the several districts of their county, whose duty it shall be to hold the election to fill such vacancy, and make return thereof as prescribed for a regular election for a member of Congress. In case of a vacancy during the recess of the Senate in any office which is not elective, and whose appointment is not otherwise provided for by law, the governor shall, by appointment, fill such vacancy until the next meeting of the Senate, when he shall make a nomination for such office; and the person so nominated, when confirmed by the Senate, (a majority of all the Senators elected concurring by yeas and nays,)

Proviso as to
vacancy occur-
ring in supreme
court of appeals.

Vacancy in
office of auditor,
treasurer, state
superintendent
schools or
attorney
general; how
filled.

Vacancy in
representation
in congress;
how filled.

Duty of sheriffs
as to election
filling such
vacancy.

Returns; how
made.

Vacancy in any
office, not
election, during
recess of senate;
how filled.

shall hold his office during the remainder of the term until his successor shall be appointed and qualified. No person, after being rejected by the Senate, shall be again nominated for the same office during the same session, unless at the request of the Senate; nor shall such person be appointed to the same office during the recess of the Senate. When he shall make a nomination for such office, the person so nominated, when confirmed by the Senate, shall hold his office during the remainder of the term, and until his successor shall be appointed and qualified. The bond, if any be required by law to be given by any officer so temporarily appointed by the governor, shall be in such penalty as the governor may direct."

Person rejected by the senate shall not again be nominated for same office, etc., unless at request of the senate.

Nor appointed during recess.

Term of office of person confirmed by senate.

Bond of officer temporarily appointed.

"44. When a vacancy shall occur in the office of clerk of the circuit court, it shall be the duty of the judge thereof to appoint a clerk, who shall hold his office until the next general election, when one shall be elected by the people to fill the unexpired term. If the office of sheriff, surveyor of lands, assessor, prosecuting attorney, constable, or clerk of the county court shall become vacant, the president of the county court, or the presiding officer of any tribunal established in lieu of a county court for police and fiscal purposes, shall, as soon as practicable, appoint a suitable person to fill such vacancy, until the person elected at the next general election shall give bond and qualify; but before the person so appointed shall exercise the duties of the said office, he shall give the bond now required by law before the said president, or the presiding officer of any tribunal established in lieu of a county court for police and fiscal purposes, to be approved by him, and take the oaths prescribed by law; and if he fail to do so within fifteen days from such appointment, the said appointment shall be vacated, and some other person shall be appointed to said office. If a vacancy shall occur in the office of president of the county court, it shall be filled until the next regular election, by the justices of the county (all of whom shall be summoned for that purpose) at the first term after such vacancy shall have occurred; and

Vacancy in office of clerk of circuit court; how filled.

Vacancy in office of sheriff, clerk of county courts and other county officers; how filled.

Bond in such cases.

Failure to qualify within fifteen days vacates appointment.

Vacancy in the office of president of county court; how filled.

Vacancy in the office of justice of the peace; how filled.

when a vacancy occurs in the office of justice of the peace, it shall be filled until the general election by the county court at its first term after such vacancy shall have occurred."

[Note by the clerk of the House of Delegates.]

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

CHAPTER LXVII.

AN ACT to amend and re-enact chapter seventy-three of the Code, concerning the authentication and record of deeds and other writings

Approved, December 21, 1875.

Be it enacted by the Legislature of West Virginia :

Code, amended. That chapter seventy-three of the code be amended and re-enacted so as to read as follows :

Power of attorney may be recorded in any county.

1. A power of attorney may be admitted to record in any county.

Duty of clerk in admitting deeds and other writings to record.

2. The clerk of the county court of any county in which any deed, contract, power of attorney, or any other writing is to be, or may be recorded, shall admit the same to record in his office as to any person whose name is signed thereto, when it shall have been acknowledged by him or proved by two witnesses as to him, before such clerk of the county court.

Upon what certificate such deeds, etc., admitted to record.

3. Such clerk of the county court shall also admit any such writing to record as to any person whose name is signed thereto, upon a certificate of his acknowledgment before a justice, notary public, clerk of a county court, prothonotary or clerk of any court within the United States, or commissioner appointed within the same by the governor of this state, written or annexed to the same, to the following effect, to-wit: "State (territory or district) of ———, county of ———, to-wit: I, ———, a commissioner appointed by the governor of the State of West Virginia, for the said state (or territory or district) of ——— ; (or I, a justice of the county aforesaid,

and district or township of ———, or I, ———, clerk of the county court of said county ; or I, ———, a notary of said county ; or I, ———, a prothonotary, or clerk of the ——— court of said county) do certify ——— whose name (or names) is (or are) signed to the writing above (or hereto annexed) bearing date on the ——— day of ——— has (or have) this day acknowledged the same before me, in my said ———. Given under my hand this ——— day of ——— ;” or, upon a certificate so written or annexed, under the official seal of any minister plenipotentiary charge d'affairs, consul-general, consul, vice consul or commercial agent, appointed by the government of the United States to any foreign country, or of the proper officer of any court of such country, or of the mayor or other chief magistrate of any city, town or corporation therein, that the said writing was acknowledged by such person, or proved as to him by two witnesses, before any person having such appointment, or before such court, mayor or chief magistrate.

As to a Married Woman.

“4. When a husband and his wife have signed a writing purporting to convey real estate, she may appear before a clerk of a county court authorized to admit such writing to record, in his office, and if, on being examined privily and apart from her husband by such clerk of the county court, and having such writing fully explained to her, she acknowledge the same to be her act, and declare that she had willingly executed the same, and does not wish to retract it, such privy examination, acknowledgment and declaration shall then be recorded by such clerk of the county court in his office ; or she may appear before a justice, notary public, prothonotary or clerk of any court within the United States, or a commissioner appointed within the same by the governor of this state, and such justice, notary public, prothonotary, clerk or commissioner may so examine her : and if, after such examination, she make such acknowledgment and declaration, shall certify the same

Deed of married woman ; how acknowledged, certified and recorded.

on, or annexed to the said writing, to the following effect, to-wit:

State (or territory or district) of _____ county of _____ to-wit: "I _____, a commissioner appointed by the governor of the state of West Virginia for the said state (or territory or district) of _____, (or I, _____, a justice for the county aforesaid, and district, (or township) of _____; or I, _____, a notary public for the county aforesaid; or I, _____, prothonotary (or clerk) of the _____ court of said county) do certify that _____, the wife of _____, whose names are signed to the writing above (or hereto annexed) bearing date on the _____ day of _____, personally appeared before me in the county aforesaid (or, if it be a commissioner, in the state, territory or district aforesaid; or if it be a justice, in the township (or district) aforesaid) and being examined by me privily and apart from her husband, and having the said writing fully explained to her, she the said _____, acknowledged the said writing to be her act, and declared that she had willingly executed the same and does not wish to retract it. Given under my hand this _____ day of _____." Or if the wife be without the United States, she may appear before any minister plenipotentiary, charge d'affaires, consul general, consul or vice-consul, or commercial agent appointed by the government of the United States to any foreign country, or before any court of any such country, or the mayor or other chief magistrate of any city, town or corporation therein, who shall examine her, and make such explanation as is required where the wife is in the United States; and if then she make such acknowledgment and declaration as is so required, the person having such appointment, or such mayor, or chief magistrate, or the proper officer of such court, shall give a certificate, under his official seal, of the examination, explanation, and declaration, to the effect required where the wife is in the United States, and upon or annexed to said writing in like manner.

"5. Such certificate, either where the wife is without

or within the United States, shall be admitted to record at the time of admitting the writing to which it is annexed, or on which it is."

Certificate to be recorded with deed.

"6. When the privy examination, acknowledgment and declaration of a married woman shall have been so taken and recorded in the office of the clerk of the county court, or when the same shall have been so taken and certified as aforesaid, and the writing to which such certificate is annexed, or on which it is, shall have been delivered to the proper clerk of the county court, and admitted to record as to husband as well as wife, such writing shall operate to convey from the wife her right of dower in the real estate embraced therein, and pass from her and her representatives all right, title and interest of every nature, which at the date of such writing she may have in any real estate conveyed thereby, as effectually as if she were, at said date, an unmarried woman; and such writing shall not operate any further upon the wife, or her representatives, by means of any covenant of warranty therein contained. If the deed be executed by a married woman, who at the time of its execution and acknowledgment is living separate and apart from her husband, and such deed be for real estate which is her sole and separate property, such facts shall be recited in the deed, and if her husband has not joined therein, no person authorized by the provisions of section four of this chapter, to take such acknowledgement, shall take and certify the same until it is proved to his satisfaction that such real estate is the sole and separate property of such married woman, and that she was, and is living separate and apart from her husband, at the date of such deed, and the acknowledgement thereof; and it shall be stated in the certificate of such acknowledgement that all of the said facts were shown to the satisfaction of the person taking the same. Such certificate shall, in all cases where the validity of any such deed comes in question, be *prima facie* evidence of the facts therein stated. If any person shall falsely make any such certificate contrary to the true facts in the case, he

Effect of deed of married woman properly acknowledged and recorded.

Deed of married woman for her sole and separate property executed while living separate from her husband; what to state and how certified.

Effect of such certificate.

Penalty for making false certificate.

shall be guilty of a misdemeanor, and upon conviction thereof, be fined and imprisoned at the discretion of the jury.

Clerk's duty as to recording and making index and list of writings.

Duty of clerk as to recording such deeds, etc., and papers thereto annexed

"7. Every writing so admitted to record shall, with all certificates of privy examination or acknowledgment, and all plats, schedules, and other papers thereto annexed or thereon endorsed, be recorded by, or under the direction of the clerk of the county court, in a well bound book, to be carefully preserved; and there shall be an index to such book as well in the name of the grantee as of the grantor. After being so recorded such writing may be delivered to the party entitled to claim under the same.

Clerk, also, to index, etc.

When original is lost, how copy may be recorded

"8. If it be proper for such writing to be admitted to record in another county, and the same before being admitted to record in such other county be lost or mislaid, on affidavit of this fact, the clerk of the county court of such other county may admit to record a copy of such writing from the records of another county, certified by the clerk of the county court thereof; and the copy so admitted shall have the same effect as if the original had been admitted to record at the time of the copy being admitted.

Effect of such record.

List of deeds, etc., when and where to be set up by clerk.

"9. The clerk of the county court of every county shall, on the first day of every county court, set up, early in the day, at the door of the court house, a list of all writings admitted to record under this chapter on or since the first day of the preceding term of the court, specifying in such list the date and nature of every such writing, the names of the parties thereto, and the day it was admitted to record, and also describing the property, which is the subject thereof. A duplicate of such list shall on the same day be admitted by the clerk of the

What to specify.

Duplicate list, where inserted.

Penalty on clerk for violation of section

county court in his order book. Any clerk of the county court violating this section, shall forfeit one hundred dollars.

"10. If any writing which it is lawful for a clerk of the county court to admit to record, on proper acknowl-

edgment or proof, has been or shall be lodged in his office, and has remained or shall remain therein six months without being acknowledged, or proved, so that it can be duly admitted to record, the clerk of the county court shall, for the preservation thereof, when required by any person interested, copy the same into a book separate from those in which writings so admitted are recorded, and keep an index to such book, as in the case of writings duly admitted to record.

When clerk to record writing not properly acknowledged, etc., for preservation.

Index for such record to be kept.

Former defective acknowledgments cured.

"11. Where the acknowledgment of any deed or other writing, or the privy examination of a married woman respecting the same has been heretofore taken by a notary public, whether he used an official seal or not; by two justices of the peace in any county in the state of Virginia prior to the re-organization of the state government thereof; or by any justice out of his district, or it does not appear by the certificate of the justice that such acknowledgment or privy examination was taken within his district (or township); the same shall nevertheless be sufficient, unless there be other lawful objection.

What certificates of acknowledgments heretofore taken are valid, etc.

Power of Attorney by a Married Woman.

"12. A married woman may, by power of attorney duly executed, acknowledged and certified, as prescribed in section four of this chapter, appoint an attorney-in-fact for her and in her name, to execute and acknowledge for record, any deed or other writing which she might execute and acknowledge in person; and every deed and other writing so executed and acknowledged by such attorney in fact, in pursuance of said power of attorney, and while the same remains in force shall be as valid and effectual in all respects to convey the title and interest of such married woman in the real estate thereby conveyed, and to bar her right of dower therein, as if she had, in person and in the manner required by the said fourth section of this chapter, executed and acknowledged the same.

Married woman may execute power of attorney; for what purpose, etc.

Effect of her deed so executed.

CHAPTER LXVIII.

AN ACT to amend and re-enact sections one, ten, eleven and twelve of chapter one hundred and fifty-one of the Code, concerning offenses against "public policy."

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia :

Code amended. 1. That sections first, tenth, eleventh and twelfth of chapter one hundred and fifty-one of the Code be amended and re-enacted so as to read as follows :

Keeping or exhibiting faro bank, etc., or selling pools, etc.; punishment for, etc.

"1. A person who shall keep or exhibit a gaming table, commonly called A. B. C. or E. O. table, or faro bank, or keno table, or a table of the like kind, under any denomination, wheel of fortune, or roley boley, whether the game or table be played with cards, dice, or otherwise, or shall be a partner, or concerned in interest, in the keeping or exhibiting such table or bank, or shall sell pools for any fair, exhibition or horse race, shall be confined in jail not less than two nor more than twelve months, and be fined not less than one hundred nor more than one thousand dollars. Any such table or faro bank, and money staked, or exhibited to allure persons to bet at such table, may be seized by order of a court, or under the warrant of a justice, and the money so seized, after deducting therefrom, one-fourth for the person making the seizure, and one-fourth for the informant, shall be forfeited to the State, and paid into the public treasury for the benefit of the school fund."

Table, money, etc., may be seized by order of court, etc.

How such money disposed of.

Buying or selling, etc., lottery tickets, etc., prohibited.

"10. The buying, selling or transferring of tickets or chances in any lottery, or gift enterprise for any purpose, shall be and is hereby prohibited."

Buying in any way concerned in, setting up or promoting, etc., any lottery or raffle, etc., at any place; punishment or penalty for.

"11. If any person shall set up or promote, or be concerned in managing or drawing, a lottery or raffle or gift enterprise, for any purpose, for money or other thing of value, at church fairs and festivals, or at any other place, or knowingly permit such lottery or gift enterprise, for any purpose, in any house under his control, or knowingly permit money or other property to be raffled for

in such house, or to be won therein, by throwing or using dice, or any other game of chance, or knowingly permit the sale in such house of any chance or ticket in, or share of a ticket in, a lottery or gift enterprise, for any purpose, or any writing, certificate, bill, or token, or other device, purporting or intending to guarantee or assure to any person, or entitle him to a prize, or share of, or interest in, a prize to be drawn in a lottery, or gift enterprise, for any purpose, or shall for himself or another person, buy, sell or transfer, or have in his possession for the purpose of sale, or with the intent to exchange, negotiate, or transfer, or shall aid in selling, exchanging, negotiating, or transferring a chance or ticket in, or share of a ticket, in a lottery, or gift enterprise for any purpose, or any such writing, certificate, bill, or token, or device, he shall be confined in jail not more than one year, and fined not exceeding five hundred dollars."

"12. All money and things of value, drawn or proposed to be drawn by an inhabitant of this state, and all money or things of value received by such person, by reason of his being the owner or holder of a ticket, or share of a ticket, in any lottery, or pretended lottery, or gift enterprise for any purpose, contrary to this chapter, shall be forfeited to the state for the benefit of the school fund."

Money, etc.. drawn or proposed to be drawn, etc., in lottery forfeited to the State for benefit of school fund.

CHAPTER LXIX.

AN ACT to amend the law relating to the publication of the reports of the supreme court of appeals.

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia :

That section five of chapter fifteen of the Code of West Virginia, concerning the secretary of state, as amended and re-enacted by an act of the Legislature, approved on the twentieth day of December, 1873, be amended and re-enacted so as to read as follows:

Acts of 1872-3, amended.

West Virginia
reports;
printing of.

Number of
copies.

To be copy
righted.

How styled.

Reporter to
direct the print-
ing and binding
subject to
control of court.

Proof sheet
furnished
reporter and
each judge;
when.

Corrections to
be made by
printer.

If work not
done as directed
superintendent
printing not to
receive same.

"5. Whenever the supreme court of appeals directs a volume of the reports of its decisions to be published, the commissioners of public printing shall contract, in the manner prescribed by law, for the printing and binding of six hundred copies thereof in a style not inferior to Grattan's reports, and the secretary of state shall secure the copy-right of the same for the benefit of the state. The reports shall be styled West Virginia Reports. The printing and binding of the reports shall be done under the direction of and in the manner prescribed by the reporter, subject, however, to the control of the court. Proof-sheets shall be furnished by the printer to the reporter, and to each of the judges, a reasonable time before the type shall be distributed, and such corrections or modifications shall be made by the printer as either the reporter or either of the judges shall suggest. If the said printing and binding be not done in such manner as the reporter or court shall direct, the volume of reports shall not be received by the superintendent of printing.

CHAPTER LXX.

AN ACT appropriating money to pay for deficiency in former appropriations made for public printing, heretofore done under contract.

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia :

Appropriation
to pay for public
printing hereto-
fore done under
contract.

No claim
heretofore
rejected to be
paid.

Claim to be
properly certi-
fied and
approved.

1. That so much money as may be necessary to pay for printing done on state account prior to the passage of this act be and the same is hereby appropriated to be drawn on the order of the auditor in payment of claims justly chargeable to the state; but no claim heretofore rejected by the auditor is intended to be included herein: Nor shall any claim be paid by him by virtue of this act unless it be verified, properly certified and approved according to the act providing for the public printing. [Note by the Clerk of the House of Delegates.]

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

CHAPTER LXXI.

AN ACT to amend and re-enact section fifteen of chapter fifty-one of the Acts of 1872-3.

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia :

1. That section fifteen of chapter fifty-one of the Acts of 1872-3, be amended and re-enacted so as to read as follows :

"15. No person shall be compelled to pay any fees before mentioned until there be produced a fee bill signed by the officers to whom the fees are due, expressing the particulars for which such fees are charged, and no such fee bill shall be made out for any service not previously performed, unless a person desire to pay before such performance, in which case there shall be mentioned in such fee bill the nature of the service and the fact that it is to be performed. Nor shall any officer for any service make out a fee bill for more than is allowed therefor, nor shall he for the same service attempt to obtain pay a second time or even make out a fee bill a second time unless he endorse the fact, and swear that the former bill is unpaid. For each item in which an officer shall violate this section he shall forfeit fifty dollars to any person prosecuting therefor, and the circuit or county court of the county in which an officer resides, may, on motion, after reasonable notice to him, quash any fee bill made out by him contrary to law."

Acts of 1872-3, amended.

Fee bills ; when and how made out and by whom signed.

Fee bill must be produced, to compel payment.

If made out second time, what fact must be endorsed thereon and sworn to.

Penalty for illegal demands

Fee bill may be quashed ; when and how.

2. All acts and parts of acts contrary to this act are hereby repealed.

Inconsistent acts repealed.

CHAPTER LXXII.

AN ACT authorizing certain laws and ordinances to be superceded and annulled.

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia :

That upon the petition of ten tax-payers residing in

Unlawful or erroneous levy, or imposition of taxes; how superceded and annulled.

Unlawful ordinances, how superceded, revoked and annulled.—

Security for costs may be required.

any city, town or village, aggrieved by an unlawful or erroneous levy or imposition of taxes, the circuit court of such county may supercede the levy made by such city, town or village, in the same manner, and to the same effect as a circuit court may now supercede a levy made by the county court. In like manner, if an independent school district, or any other school district impose a tax or levy contrary to law, or in excess of the rate of taxation prescribed in the act creating an independent district, for school purposes, upon a like petition the circuit court may supercede the levy. Upon like petition any ordinance of a city, town or village, made contrary to law, the circuit court may supercede, revoke and annul the same. The court, if it deem proper to do so, may require security for costs.

CHAPTER LXXIII.

AN ACT to amend and and re-enact chapter one hundred and seventeen of the Code relating to clerks of courts.

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia :

Code amended. 1. That chapter one hundred and seventeen of the Code be amended and re-enacted, so as to read as follows :

Examination of clerk's office, etc.

Report.

Compensation for examination; how paid.

"1. The supreme court of appeals and any circuit or county court shall annually appoint two or more persons to examine the clerk's office of such court. They shall examine the fee-books and the condition of the records and papers in the office, and report whether the clerk has faithfully discharged his duties. The court may allow to each person making such examination, a sum not exceeding five dollars, to be paid out of the county treasury, when the examination is of the office of the circuit or county court, and out of the state treasury when it is of the office of the court of appeals.

"2. The clerk's office of the supreme court of appeals shall be kept at the seat of government; unless such court shall direct it to be kept elsewhere. The clerk's office of the circuit court and county court for every county shall be kept at the court house of such county, unless there shall have been a failure to provide such offices there, in which case the clerks' offices may be kept at such other place within the county as the court may direct.

Offices of clerks; where to be kept.

"3. All papers lawfully returned to, or filed in the clerk's office shall be preserved therein until legally delivered out.

Duty of clerk as to papers filed in office.

"4. None of the records or papers of a court shall be removed by the clerk, nor allowed by the court to be removed out of the county wherein the clerk's office is kept, except on an occasion of invasion, or insurrection, actual or threatened, where, in the opinion of the court, or in a very sudden case, of the clerk, the same will be endangered, after which they are to be returned as soon as the danger ceases; and except in such other cases as are specially provided for by law. Any clerk violating this section, shall forfeit six hundred dollars.

Papers not to be removed out of county;

Exception, etc.

"5. The records and papers of every court shall be open to the inspection of any person, and the clerk shall, when required, furnish copies thereof, except in cases where it is otherwise specially provided.

Records, etc. to be open to inspection; clerk to make copies.

Exception.

"6. Any clerk of a court, or his deputy, may administer an oath in any case wherein an affidavit is necessary or proper.

Clerk or deputy may administer oaths.

"7. Every clerk shall prepare in a proper manner any bond to be taken by or given before him or his court.

Bonds to be prepared by clerk.

"8. The clerk of the court wherein there is any partition of, or assignment of dower in, land under any order, or any recovery of land under judgment or decree, shall transmit to the clerk of the county court of each county wherein such land is, a copy of such order, judgment or decree, and of such partition or assignment and of the order confirming the same, and along therewith such description of the land as may appear in the papers of the cause, and the report of such partition or assign-

Partition of land, or assignment of dower to be certified; by and to whom.

Duty of clerk of
county court
thereon.

Effect of such
record.

Penalty on
clerk for failure.

Execution book;
what to contain.

Index to books
to be made by
clerks;

To whom pro-
cess, etc., to be
delivered by
clerk.

Process book.

What to be
entered therein.

ment. Such clerk shall record the same in his deed book, and index it in the name of the person who had the land before, and also in the name of the person who became entitled under such partition, assignment or recovery. And every such record shall be as effectual, in cases of partition, to convey the legal title of such lands to the persons to whom the same is assigned by the report of the commissioners, and decree of the courts as deeds of partition would be if duly made by the parties. A clerk failing to perform any duty required of him by this section shall forfeit not less than twenty dollars, nor more than one hundred dollars.

“9. The clerk of every court shall keep an execution book, in which he shall enter, in each case wherein an execution is issued, the names of the parties, the time of the judgment, the amount thereof, and a reference to the page of the order book wherein the amount appears, the date of each execution, nature thereof, when returnable, and, if return be made thereon, the nature of return.

“10. The clerk of every court shall have an index to each book he is required to keep, making convenient reference to every order, record or entry therein. Every execution, and every judgment or decree for money, shall be indexed as well in the name of the person against whom, as in the name of the person in whose favor the same is.

“11. The clerk of every court, from whose office may be issued any process, original, mesne or final, or any order or decree, to be served on any person, shall, unless the party interested, or his attorney, direct otherwise, deliver the same to the sheriff or other officer of the county for which the court is held, if it is to be executed therein, and if it is to be executed in any other county, shall inclose the same to the sheriff or other officer thereof, put it in the postoffice and pay the postage thereon. The clerk shall keep a process book, wherein there shall be an entry of every such process, order or decree, showing its nature, date, and return day, the person to whom, and time when it was delivered, or if it was mailed, the time thereof, and the person to whom it

was enclosed. From any officer to whom there is such delivery, the clerk shall take a receipt in his process book. Receipts to be taken.

"12. If there come directed to a clerk, by mail, a letter, with an endorsement on the envelope of the parties names, and the nature of the process enclosed, he shall take the same out of the postoffice, and pay such postage as may be payable thereon. To take process from post office, and pay postage

"13. There shall be no duplicate certificate of any allowance of a court to be paid out of the treasury, unless the court, upon proof, by the oath of the party or otherwise, of the loss or destruction of the original certificate, shall order a duplicate; it shall show on its face that it is a duplicate issued by order of the court. Any clerk who shall issue a duplicate otherwise, shall forfeit one hundred dollars. Duplicate copy of allowance; how obtained. What to show Penalty.

CHAPTER LXXIV.

AN ACT to prevent cruelty to animals.

Approved December 22, 1875.

Be it enacted by the Legislature of West Virginia :

1. That if any person shall overdrive, overload, torture, torment, deprive of necessary sustenance, or unnecessarily or cruelly beat, or needlessly mutilate or kill, or cause or procure to be overdriven, overloaded, tortured, tormented, or deprived of necessary sustenance, or to be unnecessarily or cruelly beaten, or needlessly mutilated or killed, as aforesaid, any domestic animal, every such offender shall for every such offense be deemed guilty of a misdemeanor. Cruelty to animals made a misdemeanor.

2. Any person who shall impound, or confine or cause to be impounded or confined, for sale or slaughter, any domestic animal, shall supply the same during such confinement, with a sufficient quantity of good and wholesome food and water, and in default thereof, shall upon conviction, be adjudged guilty of a misdemeanor. Failure to supply animals, impounded or confined, with water and food, deemed a misdemeanor.

If animals impounded, etc., continue to be without necessary food and water for more than twenty-four successive hours, any person may enter to supply it with food and water.

3. In case any domestic animal shall be at any time impounded, or confined as aforesaid and shall continue to be without necessary food and water for more than twenty-four successive hours, it shall be lawful for any person from time to time and as often as it shall be necessary, to enter into and upon any pound or yard in which any such domestic animal shall be so confined and to supply it with necessary food and water so long as it shall remain so confined. Such person shall not be liable to any action for such entry and the reasonable cost for such food and water, may be collected by him of the owner of such domestic animal, and the said domestic animal shall not be exempt from levy and sale upon the execution issued upon a judgment therefor.

Person not liable to any action for such entry, and may recover reasonable cost for such food and water.

How collected.

Any person who shall carry, or cause to be carried in any vehicle, any domestic animal in a cruel or inhuman manner, deemed guilty of a misdemeanor:

4. If any person shall carry, or cause to be carried in or upon any vehicle or otherwise, any domestic animal in a cruel or inhuman manner he shall be deemed guilty of a misdemeanor and whenever he shall be taken into custody therefor by any officer, such officer may take charge of such vehicle and its contents and deposit the same in some safe place of custody; and any necessary expenses which may be incurred for taking care of, and keeping and sustaining the same, shall be a lien thereon, to be paid before the same can be lawfully recovered; and if said expenses or any part thereof remain unpaid they may be recovered by the person incurring the same of the owner of said domestic animal in any action therefor; and it shall be unlawful for any person or corporation engaged in transporting live stock on railway trains, to detain such stock in cars for a longer continuous period than thirty-six hours, without supplying the same with food and water, unless such detention be unavoidable.

If taken in custody, any necessary expense for taking care of, etc., shall be a lien for payment thereof.

May be recovered of owner of animal.

Person or corporation transporting live stock not to detain same longer than thirty-six hours without food or water.

Sick or disabled, etc., animals abandoned to die in a public place; deemed a misdemeanor.

Duty of justice or chief of police in such cases.

5. If any maimed, sick, infirm or disabled domestic animal shall be, by any person, abandoned to die in a public place, such person shall be deemed guilty of a misdemeanor, and it shall be lawful for any justice or chief of police in this state, to appoint suitable persons to destroy such domestic animal if unfit for further use.

6. any person convicted of a violation of any of the provisions of this act, by any court of competent jurisdiction, shall forfeit and pay for every offense, together with the cost of prosecution, a fine of not less than fifty dollars, or be imprisoned in the county jail for not more than ten days, or both, at the discretion of the court. All fines collected as above shall be paid into the school fund. And should such animals be the property of another the offender shall be liable to the owner thereof in damages, in addition to the penalties herein prescribed.

Penalty on any person convicted of violation of provisions of act.

Such fines to be paid into school fund.

When liable for damages.

7. Section fourteen, of chapter one hundred and forty-nine, of the Code, and all other acts, or parts of acts in conflict with this act, be and the same are hereby repealed.

Section 14 of chapter 49 of the code, and conflicting acts repealed.

CHAPTER LXXV.

AN ACT appropriating money to pay John H. Showalter and Stewart Seese for services at the penitentiary.

Approved, December 22, 1775.

Be it enacted by the Legislature of West Virginia:

1. That the sum of \$316.12 is hereby appropriated out of any money in the treasury, not otherwise appropriated, for the payment in full of John H. Showalter and Stuart Seese for services performed as assistant superintendent and guard at the penitentiary.

To pay Showalter and Seese; appropriation for.

2. The auditor is hereby directed to draw his warrant on the treasury for the amount hereby appropriated as follows: In favor of John H. Showalter for \$239.40, for two months and twenty-three days services as assistant superintendent; in favor of Stewart Seese for \$76.52, for services as guard at the penitentiary.

Auditor directed how to draw his warrant.

CHAPTER LXXVI.

AN ACT to amend and re-enact section forty-one of chapter one hundred and twenty-five of the Code, in relation to Rules and Pleadings.

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia :

Code amended.

1. That section forty-one of chapter one hundred and twenty-five of the Code be amended and re-enacted so as to read as follows :

When proof of partnership, on the existence of corporation not required, unless etc.

“41. Where plaintiffs or defendants sue or are sued as partners, or where plaintiffs or defendants sue or are sued as corporations, and the names of such partners where the suit is by or against them are set forth in the declaration or bill ; or the name of such corporation, and by what authority incorporated, and where existing, where the suit is by or against a corporation, are set forth in the declaration or bill, it shall not be necessary to prove the fact of the partnership, or the fact of such corporation, unless with the pleading which puts the matter in issue there be an affidavit denying such partnership or the existence of such corporation.

CHAPTER LXXVII.

AN ACT providing for ascertaining and distributing certain money collected for school and building purposes in late court house township, county of Taylor.

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia :

Boards of Education of certain districts in Taylor county to meet and ascertain amount of school moneys due from treasurer of late court house township : also, of late sheriff.

1. It shall be the duty of the boards of education of Court House, Booth's Creek and Pruntytown Independent School Districts in the county of Taylor, to meet in joint session at the Court House in said county, not later than the 1st day of June, 1876, and there ascertain by a settlement or otherwise, the amount of school and build-

ing fund, due from the late township treasurer, and the late sheriff, of what was formerly known as Court House Township.

2. After said board of education have ascertained the amounts due from said late township treasurer and sheriff, it shall be their duty to appoint three commissioners, to ascertain and apportion the amount so found to be due among the several districts as may seem to them to be equitable and just; which amounts so apportioned, shall be by them reported to the several secretary's of the boards of education, entitled to receive any portion or part thereof, to be charged up against the sheriff of the county.

Duty of said Boards of Education after having ascertained the amounts due.

Duty of commissioners appointed.

3. The several secretaries of the boards of education aforesaid shall notify the sheriff of the county, of the amounts so found due to their respective districts, and the sheriff shall proceed immediately to collect said amounts so found due, and disburse the same as other school and building funds are disbursed.

Secretaries of boards to notify sheriff of amounts found due.

Sheriff to collect and disburse; how.

CHAPTER LXXVIII.

AN ACT to amend and re-enact sections two and three of chapter one hundred and thirty-eight of the Code, concerning security for costs.

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia:

1. That section two and three of chapter one hundred and thirty-eight of the Code, be amended and re-enacted so as to read as follows:

Security for costs.

"2. In any suit (except where such poor person is plaintiff,) there may be a suggestion on the record in court, or if the case be at rules, on the rule docket, by a defendant or any officer of the court, that the plaintiff is not a resident of this state, and that security is required

Security for cost, when required and how.

When suit
dismissed by
order of court.

of him. After sixty days from such suggestion, the suit shall, by order of the court be dismissed, unless before the dismissal the plaintiff be proved to be a resident of the state, or security be given before said court, or the clerk thereof, for payment of the costs which may be awarded to the defendant, and of the fees due, or to become due in such suit, to the officers of the court. The security shall be by recognizance or bond payable to the state; but there need only be one obligor or recognizor therein, if he be sufficient. The court before whose clerk such bond or recognizance is given, may on motion by a defendant or officer, give judgment for so much as he is entitled to by virtue of said bond.

Security to be
by recognizance
or bond; how
payable.

When court
may give
judgment on
bond, etc.

When new bond
etc., with suffi-
cient security
may be
required.

If not given
within time
prescribed, suit
dismissed.

When given,
surety in former
bond released.

"3. On motion of an obligor or recognizor in such bond or recognizance, after reasonable notice to the plaintiff, his attorney at law or agent, the court may order bond or recognizance to be given, with sufficient security, in a penalty equal to the penalty of the former bond. If the recognizance or bond required under this section, be not given within such time as the court may prescribe, it may order the suit to be dismissed. If such new bond or recognizance be given, the surety in the former one shall be relieved from any liability he might have incurred because of having executed or acknowledged the same."

CHAPTER LXXIX.

AN ACT to amend and re-enact sections four and five of chapter one hundred and thirty-one of the Code, concerning the court docket; inquiry of damages; trial by jury; and judgment and decrees of the court for money.

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia :

Code amended. 1. That sections four and five of chapter one hundred and thirty-one of the Code be amended and re-enacted,

so as to read as follows :

"4. Any court wherein a chancery case is pending, may direct an issue to be tried in such court, or in any circuit, county or municipal court. But a circuit court shall not be compelled to try an issue ordered by a county or municipal court."

Any court may direct an issue to be tried by a jury in a chancery cause. But circuit court not compelled to try issue, etc.

"5. A circuit court or county court may, in any other case before it, have an issue tried, or an inquiry of damages made by a jury, and determine all questions concerning the legality of evidence and other matters of law which may arise."

In cases, other than chancery court may have an issue tried or an inquiry of damages. Province of court at trial.

CHAPTER LXXX.

AN ACT fixing the times of holding the circuit courts of the ninth judicial circuit.

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia :

1. That the commencement of the terms of the circuit court for each of the counties of the ninth judicial circuit, in each year shall hereafter be as follows : For the county of Cabell on the first Monday in March and the first Monday in September. For the county of Wayne, on the fourth Monday in March and the fourth Monday in September. For the county of Logan, on the second Monday in April, and the second Monday in October. For the county of Wyoming, on the third Monday in April and the third Monday in October. For the county of McDowell, on the fourth Monday in April and the fourth Monday in October. For the county of Mercer on the first Monday in May and the first Monday in November. For the county of Raleigh, on the third Monday in May, and the third Monday in November. For the county of Boone, on the fourth Monday in May, and fourth Monday in November. For the county of Lincoln, on the first Monday in June, and the first Monday in December.

Commencement of terms of courts in ninth judicial circuit. For the county of Cabell. Wayne. Logan. Wyoming. McDowell. Mercerr. Raleigh. Boone. Lincoln.

[Note by the Clerk of the House of Delegates.]

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

CHAPTER LXXXI.

AN ACT relating to the compensation of officers for conveying lunatics from the jails to the asylum at Weston.

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia :

When circuit courts may allow additional compensation for conveying lunatics to the asylum.

That in addition to the compensation allowed by section thirty-three, of chapter fifty-eight, of the Code, for carrying lunatics to the hospital for the insane, the circuit courts may allow such reasonable additional compensation for such services as may be just and proper in cases where the allowance authorized by the said section is not sufficient to pay the actual expenses incurred by the officers, including a just compensation for the labor and time employed in such service, and the Auditor is authorized to pay all bills for services of the character here referred to upon the certificate or order of the court granting such additional compensation.

Auditor to pay upon proper certificate.

CHAPTER LXXXII.

AN ACT to provide for the prorating of the charges for freight and passengers as between corporations connecting in this State.

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia :

1. That where different works of internal improvement, intersect each other in this State, it shall be the

duty of any road to receive freight and passengers from such other road, and to charge for the transportation thereof, such rates only as it is charged on its own line from the point of intersection to the point of destination of such freight or passengers, and this act shall apply to all railroads operating in this State, whether incorporated or not.

Charges for passengers and freight prorated as between corporations connecting.

CHAPTER LXXXIII.

AN ACT to authorize the County Courts of Mineral and Grant counties to erect and maintain toll gates on the county roads of said counties.

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia :

1. The County Courts of Mineral and Grant counties are hereby authorized to erect and maintain toll gates and collect tolls on roads in said counties, when demanded by the petition of one hundred free-holders thereof.

County courts of Grant and Mineral counties authorized to erect and maintain toll gates; when.

2. The tolls collected shall be the same as prescribed in section five, chapter two hundred and nine of the Acts of the Legislature of 1872-3.

Rates of toll.

CHAPTER LXXXIV.

AN ACT providing for the Inspection of Tobacco.

Approved, December 23, 1875.

Be it enacted by the Legislature of West Virginia :

1. That the governor, by and with the advice and consent of the senate, shall, as soon as this act takes effect, and before the first Monday of February, at each regular session of the legislature, appoint a state superintendent of tobacco warehouses, whose duty it shall be to rent the necessary buildings in or near the cities of

State superintendent of tobacco warehouses; when and how appointed.

Superintendent to rent necessary buildings for warehouses; where. Parkersburg and Huntington for a state tobacco warehouse at each. He shall have the general supervision and control of said warehouses, and see that they are efficiently and economically managed, with power to discharge employees and laborers therein. He shall give to tobacco growers and merchants such information on the tobacco trade as will best promote the interest of growers and the state, and shall receive for his services a salary of two thousand dollars per annum. Before entering upon the discharge of the duties of his office, he shall give bond in the sum of ten thousand dollars, for the faithful performance of the duties imposed upon him by law, and take the oath of office. Said bond and the certificate of qualification shall be approved by, and filed in the office of, the auditor.

To have general supervision, etc. with power to discharge employees, etc.

To give tobacco growers and merchants proper information.

His salary.

His bond.

Oath of office.

Bond and certificate; by whom approved and where filed.

Inspector of tobacco; how appointed.

Term of office.

Removal from office; when and by whom.

Bond of inspector.

By whom approved.

Conditions of.

Where filed and recorded.

Inspector to take charge of all tobacco books, furniture, etc. belonging to warehouses, and receipts for same.

2. The governor, upon the recommendation of the superintendent of state tobacco warehouses, shall appoint an inspector of tobacco for each warehouse, who shall hold his office until his successor is appointed and qualified, and may be removed from office by the governor, whenever the public service will be benefitted thereby.

3. The inspector of tobacco shall before entering upon his duties as inspector of tobacco, be required to give bond in the sum of five thousand dollars, satisfactory to the judge of the judicial circuit in which his warehouse is situated, for punctual and full returns at the end of each quarter, and for the faithful performance of all the duties imposed upon him by law; and the said bond shall be filed and recorded in the office of the clerk of the county court of the county in which his warehouse is situated.

4. Any inspector of tobacco who may be appointed as aforesaid, or by the governor to fill a vacancy, and shall have given and caused to be filed the bond aforesaid, and taken the oath of office as required by law, shall take charge of all the tobacco books, furniture, appurtenances and effects found in, or belonging to, the state tobacco warehouses hereinbefore provided for, and shall receipt to his predecessor for the same.

5. No inspector of tobacco or other person appointed or employed in the state tobacco warehouses, shall be engaged in the purchase or sale of tobacco, (except of their own growth,) nor shall it be lawful for any person thus appointed or employed in the state warehouses, to receive any gift or emolument whatever, either directly or indirectly for any favor or service rendered, other than his regular salary or wages; and any person thus convicted, shall be at once dismissed from office or service.

Inspector or other person, etc. prohibited from buying or selling tobacco; exception.

Not to receive any gift or emolument other than salary.

Person thus convicted dismissed from office or service.

6. The inspector of tobacco shall be entitled to appoint a chief clerk and an assistant clerk, and such number screwmen and laborers as shall be necessary for the economical management of the warehouse. The salary of the inspector of tobacco shall be \$800 per annum; of the chief clerk, \$600 per annum, and the assistant clerk, \$400 per annum; the wages of the screwmen shall not exceed two dollars per day, and the laborers not exceeding one dollar and fifty cents, per day.

Inspector to appoint two clerks; laborers, etc.

Inspectors salary.

Salaries of clerks, and other employees.

7. The inspector of tobacco shall have charge of all the receipts and disbursements of the warehouse, and shall make all contracts for nails, or any other articles that may be required for the use of his warehouse, except for repairs, and shall make a regular return to the auditor of state, four times in each year, viz: December, March, June and September, showing the receipts and disbursements of his warehouse, with vouchers therefor, setting forth in his report of receipts, the amount received for outage, storage, cooperage, reconditioning stays, sale of scraps and so forth; and in his disbursements the amounts paid for labor, nails, lumber, hoops and ordinary incidental expenses, and pay into the treasury of the state all moneys remaining in his hands at the end of the quarter. Said return shall be transmitted to the superintendent of state tobacco warehouses, to be approved and forwarded by him to the auditor. No salaries, compensation or wages fixed by this act shall be paid out of the treasury of the state; but all salaries, compensation and wages shall be paid out of the receipts of said warehouses.

Inspector to have charge of receipts and disbursement, and make all contracts, except for repairs.

To make returns to auditor; when.

What such returns must show.

Moneys remaining in his hands to be paid into treasury.

Superintendent to approve and forward such return to auditor.

No wages to be paid out of state treasury, but out of receipt of ware houses.

Absence of
inspector; who
to discharge his
duties.

8. That in case of the absence of the inspector from the warehouse, by reason of sickness or other unavoidable causes, then, during his absence, his duties shall devolve upon the chief clerk, or such other clerk or employee as he may select or designate, who shall qualify, under oath, for the faithful discharge of the same.

Hours of labor.

9. The hours of labor in the tobacco warehouse shall be from seven o'clock, a. m., until 12 o'clock, m., and from 1 o'clock, p. m., until six o'clock, p. m.

Tobacco delivered; inspector to take charge of, and receipt for.

10. That all tobacco landed or delivered at any state warehouse for inspection, shall be taken charge of by the inspector, and the parties delivering the same shall be entitled to receive, upon demand, the inspector's receipt therefor.

Duty of inspector as to uncasing, breaking and inspecting tobacco.

11. The inspector shall have uncased and break every hogshead that may be delivered for inspection, in not less than five different places, and if the inspector shall be of the opinion that such tobacco is sound, clean and in good order, then he shall select from each break one bundle of the average quality of the break, and the bundle so selected shall be considered the sample of the hogshead; he shall also have the hogshead properly marked with its number, the year of its inspection, and the initials of the owner on each head, and on the bilge, and shall have the tare and net weight marked with iron on the bilge.

When inspector may have hogshead shaken and repacked.

Fee for; how paid.

12. If the inspector shall, upon the examination of any hogshead of tobacco, have reason to suspect that the same is trash, or false packed, he shall cause the same to be shaken and repacked, and shall charge for doing so, the sum of two dollars per hogshead, the same to be paid by the owner or his agent.

Duty of inspector as to the samples of hogsheads inspected.

13. It shall be the duty of the inspector to confine the samples of each hogshead of tobacco inspected, by tying together with a strong tape run through the head of said sample, in such manner as shall be most likely to prevent the bundles from separating or being pulled out, and shall confine on said sample a pasteboard label, on which shall be written the marks and number of the hogshead, the date of inspection, and the name of the

warehouse, and shall seal said tape and label with sealing-wax, and shall stamp it with the seal of the warehouse. Whenever a hogshead of tobacco is redrawn or reviewed, the sample and label thereon of the original inspection shall be returned to the inspector, to be by him destroyed, and the label on the sample given at the redrawing or reopening of the tobacco, shall show that the hogshead has been re-inspected or reviewed.

Duty of, whenever hogshead is redrawn or reviewed.

14. Any person or persons being proved guilty of tampering with any sample of tobacco, after it shall have passed from the custody or control of the inspector, shall be liable to a fine of not less than one hundred dollars, by prosecution in the circuit or county court of the county in which the warehouse of said inspector is situated.

Penalty for tampering with sample of tobacco etc.

15. The inspector shall cause to be kept in proper books, the name of the owner, the number, gross, tare, and net weight of every hogshead of tobacco inspected by him, the state where grown, the consignee of the same, the name of the vessel, or number of the car by which shipped out, and the date of the shipment, and the name of the party shipping the same; and for every hogshead so inspected by him, he shall issue his certificate or note stating in such certificate or note the name or initials of the owner, the number of the hogshead, the state where grown, the date of inspection, and the gross, tare and net weight of the hogshead, and he shall make no delivery of any hogshead of inspected tobacco from his warehouse, except upon surrender of certificate or note, corresponding with the number of the hogshead.

Duty of inspector as to every hogshead of tobacco inspected by him.

To issue his certificate; what certificate must show.

16. If any certificate or note is lost or mislaid, or destroyed, the person entitled to receive the tobacco by virtue of such note or certificate, may make oath before a justice of the peace to the effect of said note being lost and shall take a certificate to that effect, from such justice of the peace to the inspector, and deposit the same with him, then the inspector may deliver to such person a new note or certificate, with marks, numbers, weights

When inspector to deliver new certificate or note where original has been lost, destroyed, etc., effect thereof.

and date corresponding with the former note, and shall thereby be discharged from all actions and demands on account of such former note or certificate.

What notice necessary to entitle person to new certificate, etc.

17. No person shall be entitled to receive a new note or certificate in lieu of any note or certificate lost or mislaid, unless he shall notify the inspector within twenty days after such note or certificate is first discovered to be lost or mislaid.

Tobacco condemned or stayed; to be carefully cased up, weighed, etc; and the cause noted, etc.

18. All tobacco inspected in any warehouse, which may be condemned or stayed, shall be carefully cased up and weighed, and the gross weight and tare to be entered upon a book kept for that purpose, together with the number of breaks in such hogshead as may be stayed; also the cause, whether for false packing, trash, order or wet.

Such tobacco to be shaken out, reconditioned and packed: re-weighed and entered, etc.

19. All tobacco thus stayed, shall with all convenient dispatch be shaken out, reconditioned and packed, under the supervision of the inspector, and re-weighed and entered upon the inspection books, as all other tobacco.

Charges for re-conditioning and repacking all stayed tobacco; and how paid.

20. The inspector shall charge for re-conditioning and repacking all stayed tobacco the following prices: for one or two breaks, one dollar; for full stay, two dollars, to be paid by the owner or his agent; and for re-drawing hogshead, fifty cents, to be paid by the owner or his agents; the charge of outage shall be two dollars for every hogshead not exceeding eleven hundred pounds, and twelve and a half cents additional on every hundred pounds over eleven hundred, to be paid by the shipper of the tobacco or his agent; and the charge for outage of all tobacco packed in boxes, at the rate of twenty-five cents per hundred pounds.

Owner of stayed or condemned tobacco have privilege of removing same free of charge for outage, etc.

21. The owner of any tobacco that may be stayed or condemned, shall have the privilege of removing the same from the warehouse free of all costs or charges whatever, either for outage, cooperage or storeage.

Tobacco may be coopered when necessary, and owner charged; what price.

22. All tobacco delivered at the warehouse for inspection in such condition as to require cooperage, shall be properly coopered and taken care of, and the owner or his agent charged for the same, not less than twenty-five

cents or more than fifty cents for each hogshead thus coopered.

23. All scrap tobacco accruing in the state tobacco warehouses shall be sold by the inspector of tobacco to the best advantage, for the benefit of the state, and the proceeds accounted for with all other receipts, in returns to the auditor.

Scrap tobacco; how disposed of, and proceeds accounted for.

24. The inspector shall, in the month of April, annually cause to be inserted in some one of the newspapers published in the city of Parkersburg, once a week for four successive weeks, an advertisement stating the weight, gross, tare and net, the number and name or initials of any hogshead of tobacco that may have been inspected, which has remained in the warehouse for the period of four years, and the owners thereof being unknown to the inspector; and if such tobacco shall not be claimed within thirty days after the termination of the advertisement, the same shall be sold by the inspector in such manner as he shall deem best, and the proceeds thereof accounted for in the first quarterly return thereafter.

Inspector to advertise tobacco inspected, which has remained in warehouse for four years, etc. When, how and for what time.

If not claimed within thirty days from termination of advertisement to be sold.

When proceeds accounted.

25. If the owner of any tobacco sold under the preceding section shall within one year from the date thereof, satisfy the auditor that the tobacco so sold was his property, the auditor shall draw his warrant on the treasurer for the amount of such sale after deducting warehouse costs and charges.

Within what time owner of tobacco sold may prove ownership, and have money refunded.

26. No tobacco of the growth of this state shall be passed or accounted lawful tobacco when the same is packed in hogsheads not exceeding fifty-four inches in the length of the staves, nor exceeding forty-six inches across the head; and the owner, or his agent, of tobacco packed in any hogsheads of greater dimensions, shall repack the same in hogsheads of the size herein prescribed, at his own expense, before the same shall be passed.

Hogsheads; size of in which tobacco must be packed to be passed or accounted lawful tobacco.

If tobacco packed in hogsheads of greater dimensions, owner to repack same.

27. Whenever so large an amount of inspected tobacco shall have accumulated in the state tobacco warehouses as to delay the inspection, the inspector shall have the right to rent storage for so much as may be necessary

When Inspector may rent storage.

to remove, in order to make room for the uninspected tobacco.

What tobacco not subject to costs or charge for storage or warehouse rent.

28. No tobacco of the growth of this state, and in the hands of the producers, or their agents, shall be subject to any costs or charges for storage or warehouse rent.

When Inspector may charge storage;

29. Every hogshead of tobacco of the growth of this state that shall remain in the warehouses, after being sold by the grower or his agent, for a longer period than twelve months, and every hogshead of tobacco of the growth of any other state, whether sold or unsold, shall remain in the warehouse for a longer period than twelve months, the inspector shall charge the owner thereof the sum of fifteen cents per hogshead storage for each month after the said twelve months; and all buildings rented or used for the storage of tobacco shall be deemed a part of the state tobacco warehouse.

All buildings rented or used, etc., deemed part of State warehouse.

CHAPTER LXXXV.

AN ACT to amend and re-enact sections three, eight, nine, fifteen, nineteen and twenty-two of chapter seventy-nine of the Acts of 1872-3, entitled, "an act to provide for the public printing and binding and for supplying stationery and printing paper for State use."

Approved, December 22, 1875.

Be it enacted by the Legislature of West Virginia :

Acts 1872-3 amended.

1. That sections three, eight, nine, fifteen, nineteen and twenty-two of chapter seventy-nine of the Acts of 1872-3, be amended and re-enacted so as to read as follows :

Maximum rates fixed for printing, binding, ruling, etc. and for paper and envelopes.

"3. The following rates for printing, folding, stitching and binding, and for paper and envelopes, shall be and are hereby fixed, as a maximum of prices therefor, and no bids at higher rates shall be received, entertained or accepted : For plain composition, sixty-five cents per thousand ems ; for rule or figure work, one dollar per thousand ems ; and for rule and figure work, one dollar

and thirty cents per thousand ems; for press work, sixty-five cents per token, estimating two hundred and forty impressions as a token, and eight pages for each form, octavo size, provided two hundred and forty impressions shall constitute a token except when the work ordered shall not amount to that many impressions, then any less quantity shall be counted as a token; for press work, per quire, of all blanks, circulars and other work of like character, when printed on one side of a sheet of folio post or any larger sized paper, for the first quire, one dollar and seventy-five cents; for the balance of the first ream, fifty cents per quire and twenty-five cents per quire for every quire in excess of one ream. When printed on note, letter, cap, or any larger paper, less than folio post, for the first quire one dollar and thirty cents; for the balance of the first ream thirty cents per quire, and twenty cents per quire for every quire in excess of one ream: Provided, that twenty-four impressions or any fractional excess thereof shall constitute a quire; and when the work ordered shall not amount to that many impressions, then any less number shall be considered as a quire. For printing bills and other documents of not more than six pages, for the current use of the legislature, two dollars and twenty-five cents per page for two hundred and fifty copies, and for any additional copies that may be ordered nothing additional shall be charged except for press work; and all bills and other documents exceeding six pages shall be estimated and paid for as book and pamphlet work. For ruling folio post, or any larger sized paper, single form, twenty cents per quire; each additional form fifteen cents per quire. For ruling note, letter, cap or any other paper, less than folio post, single form, ten cents per quire, each additional form seven cents per quire.

"8. In estimating the composition for the printing of blanks, blank-books, circulars and other like work the face of the type only, excluding the space occupied by leads or other fillings, shall be measured."

Composition for
printing blanks,
circulars, etc.;
how measured.

9. In estimating the composition of all laws, journals, public documents and pamphlets, every fraction of a

Composition for printing laws, journals, public documents and pamphlets; how estimated.

But one charge to be made for composition of documents ordered by Legislature; when.

When composition for extra or additional copies not to be charged for.

When less than eight pages shall be counted as a full form; exception.

Contractor to do all printing for State, and furnish all stationery.

Requisition for: how made, and who authorized to order the same.

How work done to be certified.

Printing and stationery for public institutions; how procured.

page shall be counted as a full page but no entire blank page shall be counted or charged for. But one charge shall be made for the composition of all documents ordered to be printed by both branches of the Legislature and no charge or allowance shall be made for composition when extra or additional copies are ordered to be printed; but this rule shall only apply in the first instance to orders made, for the same document, on the same or succeeding day, by both branches of the legislature; and in the second instance to orders for additional copies which are made before the original order is filled.

In estimating press work, if any document makes less than eight pages, or if the last form is not a full form of eight pages the same shall be counted as a full form, except where two or more documents ordered can be printed on the same form.

“15. Except as provided in the previous section all officers of the state authorized to procure paper or stationery, or to have any printing or binding done at the expense of the state, are required to have the same done by the contractor or contractors for the public printing, binding and stationery, upon requisition made through the superintendent of public printing who is hereby authorized to order the same from the said contractor or contractors, and if he fail to do so the commissioners of public printing shall order the same; and no money shall be paid out of the treasury for paper, stationery, printing or binding done in contravention of this section.

“19. The bills for the work to be done as aforesaid, for the Senate and House of Delegates, shall, when such work is done, be so certified by the clerks of those houses respectively to the superintendent of printing.

The work hereafter done for the executive departments, including reports thereof, shall, when done, be so certified to the superintendent of printing, by the officer authorized by law to order the same. The printing and stationery necessary for the public institutions of the State shall be procured by the executive officers of

said institutions, by requisition upon the superintendent of public printing approved by the governor."

"22. The commissioners are required to receive separate bids for the printing, binding and printing paper, including stationery. The contract shall be awarded to the lowest responsible bidder for the same, respectively, unless there is a responsible bid for the whole which is less than the aggregate amount of the lowest separate bids in which case the contract shall be awarded to such lowest bidder for the whole

Commissioners required to receive separate bids.

Contract; how awarded.

The superintendent of public printing shall at all times keep on hand thirty days supply of stationery and printing paper.

Quantity of stationery and printing paper to be kept on hand by Sup't of public printing.

2. This act shall not apply to the existing contract of the public printer.

Act not to apply to existing contract.

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

CHAPTER LXXXVI.

AN ACT to re-enact sections ten, sixteen and seventeen of chapter one hundred and fifty-six of the Code, in relation to the examination of persons charged with crime.

Approved, December 23, 1875

Be it enacted by the Legislature of West Virginia :

1. That sections ten, sixteen and seventeen of chapter one hundred fifty-six of the code be re-enacted so as to read as follows :

"10. If the person so recognized does not appear at the time so appointed, the justice shall certify the recognition and fact of such default to the circuit court at its next term, and like proceedings shall be had thereon as on breach of a recognizance for appearance before such court.

Proceedings where accused fails to appear.

Commitment,
by justice, of
accused after
examination for
trial; when.

Recognizance,
etc.

Duty of justice
in such cases;
and duty of
clerk.

Examination
and recogni-
zance to be cer-
tified to clerk of
circuit court,
etc.

How compelled.

"16. Where a justice so considers that there is sufficient cause for charging the accused with the offense, unless it be a case wherein it is otherwise specially provided, the commitment shall be for trial, and the recognizance be for appearance in the circuit court on some day of a term then being held, or on the first day of the next term thereof. The justice shall return to the clerk of such court, as soon as may be, a certificate of the nature of the offense, showing whether the accused was committed or bailed therefor; and the clerk, as soon as may be, shall inform the prosecuting attorney in such court of such certificate.

"17. Every examination and recognizance taken under this chapter, shall, by the judge or justice taking it, be certified to the clerk of the circuit court, on or before the day on which the party charged is to appear in such court. If he fail, he may be compelled to do so by attachment for contempt.

CHAPTER LXXXVII

AN ACT to amend and re-enact section twenty-seven of chapter fifty-eight of the code of West Virginia.

Approved, December 23, 1875.

Be it enacted by the Legislature of West Virginia:

Code amended.

1. That section twenty-seven of chapter fifty-eight of the code of West Virginia, is hereby amended and re-enacted so as to read as follows:

How persons,
not charged
with crime,
confined in jail,
and restored to
sanity to be
discharged.

27. When any other person shall be confined in the hospital or jail as a lunatic shall be restored to sanity, the board of directors, if such person be in the asylum, or if such be confined in jail, the circuit or county court, or any justice of the county in which such person is confined, upon examination of such person, if it be found proper to do so, shall discharge such person from custody, and give him a certificate thereof.

Inconsistent
acts repealed.

2. All acts or parts of acts inconsistent with this act are hereby repealed.

LXXXVIII.

AN ACT to repeal the charter of the town of Williamstown, in Wood county, and repeal the act extending the corporate limits of the same.

Approved December 23, 1875.

Be it enacted by the Legislature of West Virginia:

1. That all acts and parts of acts incorporating the town of Williamstown, in Wood county, passed by the state of Virginia, and chapter fifteen, acts of 1868 (extraordinary session) of the Legislature of West Virginia, extending the corporate limits of the same are hereby repealed.

All acts incorporating town of Williamstown, and extending corporate limits repealed.

[Note by Clerk of the House of Delegates.]

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

CHAPTER LXXXIX.

AN ACT to extend the time in which the sheriff of Nicholas county is required to pay into the State Treasury the revenues of said county.

Approved, December 23, 1875.

Whereas, the contagious disease, small-pox, prevails in a considerable portion of Nicholas county, and the sheriff of said county and his deputies are prohibited from visiting that portion of the county, by reason whereof, they are unable to collect the taxes;

Preamble.

And whereas, the prevalence of said contagious disease may continue for some time; therefore.

Be it enacted by the Legislature of West Virginia:

1. That J. J. Halstead, sheriff of Nicholas county, shall not be required to pay into the state treasury the

Time extended for sheriff of Nicholas county

to pay revenue
into treasury.

Proviso as to
sureties given
consent; how
and where
recorded.

Copy to be sent
to auditor.

revenues of said county for the year 1875, due and payable on the 20th day of January, 1876, until the first day of March, 1876, and his payment of said revenues at that time shall be considered as a discharge of the conditions of his official bond in that respect: Provided, that the sureties on the bond of said J. J. Halstead, as sheriff, shall give their consent in writing, under seal, to the extension herein provided, and that, said written consent shall be recorded in the deed book of Nicholas county in the same manner as deeds and conveyances are recorded, and a duly authenticated copy thereof forwarded to the auditor of the state.

[Note by the Clerk of the House of Delegates.]

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

CHAPTER XC.

AN ACT for the relief of Thomas J. Coger, of Webster county.

Approved, December 23, 1875.

Be it enacted by the Legislature of West Virginia :

Appropriation
to pay Thos. Co-
ger for services
as commissioner
of Revenue for
1861.

1. That the sum of two hundred dollars be, and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, for the payment in full of Thomas J. Coger, assistant commissioner of the revenue for the county of Webster for the year 1861.

Auditor author-
ized to pay.

2. The auditor is hereby authorized and directed to draw his warrant on the treasurer for the amount hereby appropriated.

CHAPTER XCI.

AN ACT to repeal chapter ninety-one of the Acts of 1872-3, entitled "An Act to amend and re-enact sections ten, sixteen and seventeen of chapter one hundred and fifty-six of the Code, in relation to the examination of persons charged with crime." Approved April 3, 1873.

Approved, December 23, 1875.

Be it enacted by the Legislature of West Virginia :

1. That chapter ninety-one of the Acts of 1872-3, entitled "An Act to amend and re-enact sections ten, sixteen and seventeen of chapter one hundred and fifty-six of the code in relation to the examination of persons charged with crime," approved, April 3, 1873, be and the same is hereby repealed.

Chapter 91 of
Acts of 1872-3
repealed.

CHAPTER XCII.

AN ACT to repeal chapter ninety of the Acts of 1872-3, entitled, "an act providing for the examination of persons charged with a felony before the county court," approved, April 3, 1873.

Approved, December 23, 1875.

Be it enacted by the Legislature of West Virginia :

1. That chapter ninety of the Acts of 1872-3, entitled, "an act providing for the examination of persons charged with a felony before the county court;" approved April 3, 1873, be and the same is hereby repealed.

Chapter 90
Acts of 1872-3,
repealed.

2. That in all cases where a person charged with a felony has been committed or recognized by a justice of the peace to appear before any county court for examination for a felony, or has been indicted in any circuit court for a felony, and remanded to a county court for examination, it shall be the duty of the county court to recognize such party to appear before the next term of

Proceedings where person charged with a felony or recognized, etc., to appear for examination for a felony; or indicted for a felony in circuit court and remanded to county court for examination.

Witnesses re-
cognized to ap-
pear.

the circuit court of the county to answer such charge, and in default of such recognizance, the person so charged shall be committed to jail. It shall also be the duty of such county court to recognize all of the witnesses to appear at the said term of the circuit court, to testify on such trial.

CHAPTER XCIII.

AN ACT to repeal an act entitled "An act to incorporate the town of St. Marys, in the county of Pleasants," passed February 21, 1872.

Approved, December 23, 1875.

Be it enacted by the Legislature of West Virginia :

Act incorpo-
rating town of
St. Marys
repealed.

That an act entitled "An act to incorporate the town of St. Marys, in the county of Pleasants," passed February 21, 1872, be and the same is hereby repealed.

CHAPTER XCIV.

AN ACT to amend the act passed April 1st, 1873, entitled "an act to amend and re-enact chapter forty-six of the Code of West Virginia, concerning the poor."

Approved, December 23, 1875.

Be it enacted by the Legislature of West Virginia :

When and how
a board of com-
missioners may
have control,
superinten-
dence and relief
of the poor of
the county, and
exercise, etc.,
the duties and
powers of
overseers of the
poor.

1. In any case in which a board of commissioners has been or shall be established in a county to superintend and administer the internal, police and fiscal affairs thereof, such board may, in its discretion, take upon itself by ordinance or resolution, the control, superintendence and relief of the poor of the county, and the board thereafter shall be subject to and discharge all the duties, and have and exercise all the rights and powers of overseers of the poor for the county, and for that purpose may from time to time appoint all proper officers and agents, regu-

late their compensation, direct and control them in the exercise of their duties, and remove them at pleasure, and may make and enforce all proper and needful regulations, orders and contracts respecting the poor of the county.

CHAPTER XCV.

AN ACT to legalize the election on the second Friday of August, 1875, for members of the board of education of Clinton District, in the county of Monongalia.

Approved, December 23, 1875.

Whereas, it appears that at the election held in Clinton district, in Monongalia county, on the second Friday in August, 1875, for members of the board of education for said district, James S. Watson was duly elected president, and J. W. Philip and Morgan B. Hale, commissioners of said board of education; and that two hundred and thirty-seven votes were cast in said district in favor of the levy for school purposes and twenty-seven votes against such levy; and

Whereas, it further appears that the then existing board of education of said district, failed to ascertain and certify the result of said election within the time prescribed by law; but did, on the 30th day of August, 1875, so ascertain and certify the result thereof, namely: that James S. Watson was elected president, and J. W. Philip and Morgan B. Hale were elected commissioners of the said board, and that two hundred and thirty-seven votes were cast in favor of, and twenty-seven votes against the said levy:

Be it therefore enacted by the Legislature of West Virginia:

1. That the ascertainment and certificate so made and granted by the said board of education on the 30th day of August, 1875, shall be as valid to all intents and purposes, as if the same had been made and certified within

Certificate, etc.
of election
granted by
board of edu-
cation, on the
30th, August
1875, made valid
as to the elec-

tion held in Clinton district for school officers on the 2nd Friday in August 1875. School officers so elected authorized to qualify.

the time prescribed by law. And the members of said board so elected, if they have not already done so, may qualify as such within twenty days from the passage of this act.

[Note by the Clerk of the House of Delegates.]

The forgoing act takes effect from the date of its approval, two-thirds of the members elected to each House, by a vote taken by yeas and nays, having so directed.

CHAPTER XCVI.

AN ACT amending and re-enacting section sixty-eight of chapter one hundred and fifty-nine of the Acts of 1872-3 relating to county levies in incorporated cities, towns and villages.

Approved, December 21, 1875.

Be it enacted by the Legislature of West Virginia:

Acts 1872-3 amended.

1. That section sixty-eight of chapter one hundred and fifty-nine of the acts of the Legislature of 1872-3 passed December 15, 1873, entitled "an act to amend and re-enact chapter one hundred and fourteen of the acts of the Legislature of 1872-3," passed April 7, 1873, be amended and re-enacted so as to read as follows:

Inhabitants of a city, village or town that provides for its poor, etc., not to pay poor or road taxes on property within etc.

Not exempt beyond this.

No provision in act of incorporation can exempt from payment county levies.

"68. The inhabitants of a city, town or village that provides for its own poor and keeps its streets in order, shall not be required to pay poor taxes or road taxes on property located in such city, town or village; but beyond this no inhabitant of such city, town or village shall be exempt from the payment of road and poor levies upon property owned by him in said county located beyond the limits of such corporation; and no city, town or village shall be exempt from payment of county levies by reason of any provision in its act of incorporation."

CHAPTER XCVII.

AN ACT to amend and re-enact section four of chapter one hundred and five of the Acts of 1872.

Approved, December 24, 1875.

Be it enacted by the Legislature of West Virginia :

1. Section four of chapter one hundred and five of the Acts of 1872, is amended and re-enacted so as to read as follows : Acts 1872 amended.

"4. The board of education of the district of Sheet's Mills shall annually as soon as possible after the apportionment of the state fund, levy such tax on all the property taxable in said district as will with the money received from the state for the support of free schools, and with all other available funds, be sufficient to keep their school in operation for at least four months in the year. Said tax shall be collected and disbursed in such manner and at such rates of commission as the said board may determine, and by such person as they shall appoint. Board of education of Sheet's Mills district authorized to levy tax to keep schools in operation four months. How such tax collected and disbursed, etc.

CHAPTER XCVIII.

AN ACT in relation to the jurisdiction and powers of such courts of limited jurisdiction as have been, or may be, established in incorporated towns or cities, and in relation to the powers of the judges of such courts in vacation.

Approved, December 24, 1875

Be it enacted by the Legislature of West Virginia :

1. Every court of limited jurisdiction which has been or may be established in any incorporated town or city shall have, within such town or city the same jurisdiction and powers at law and in equity, in civil suits and proceedings where the amount in controversy exceeds fifty dollars, exclusive of interest and costs, or the possession or title of real or personal estate is concerned, Courts of limited jurisdiction, established in cities, etc., to have same jurisdiction and powers at law and equity, etc., as circuit courts; in what cases.

as the circuit court of the county in which such town or city is, now has or may hereafter be vested with, in the following cases :

I. Where the defendant or one of the defendants resides in such town or city ;

II. Where the cause of action arose within such town or city ;

III. Where the property, real or personal, the title or possession of which is in controversy, or some part of such property, is in such town or city ;

IV. Where the defendant or one of the defendants, being a non-resident of the state, is found in such town or city, or has estate or effects therein ; and any demand against a resident of such town or city, or a corporation or firm doing business therein, or any stock or share in the capital of such corporation or firm, shall be deemed effects in such town or city within the meaning of this clause.

In what cases, such courts, have concurrent jurisdiction.

2. Every such court of limited jurisdiction shall have concurrent jurisdiction with and the same powers as such circuit court in cases of habeas corpus, as to leasing lands of infants, married women or insane persons, and of the sale of their lands, or those held for cestui que trust, where such lands or a part thereof, are within such town or city as to corporations having their principle office or place of business within such town or city, as to the appointment of receivers, and as to a bill for injunction : Provided, that such power shall not extend to the granting of injunctions to the judgments and proceedings of the circuit or county court."

Proviso as to granting of injunctions, etc

Powers of judges of such courts in vacation.

3. The judge of any such court of limited jurisdiction shall have the same powers in vacation with respect to the matters mentioned in this act as the judge of such circuit court in vacation now has or may hereafter be vested with in respect to same matters.

Inconsistent acts repealed. But jurisdiction heretofore conferred on such courts, or the judges thereof, not to be abridged or taken away.

4. All acts heretofore passed are hereby repealed, so far as they are inconsistent with this act. But nothing herein contained shall abridge or take away any jurisdiction heretofore conferred upon any court of limited jurisdiction, or the judge thereof.

CHAPTER XCIX.

AN ACT to amend and re-enact section one, of chapter one hundred and thirty-two, of the Acts of 1872-3, entitled "An act giving the consent of the Legislature of the State of West Virginia, to the purchase by the United States of land within this State for public purposes."

Approved, December 25, 1875.

Be it enacted by the Legislature of West Virginia :

That section one, of chapter one hundred and thirty-two, of the acts of 1872-3, be amended and re-enacted so as to read as follows :

"1. That the consent of the legislature of West Virginia be, and the same is hereby given to the purchase, heretofore or hereafter, by the government of the United States, or under the authority of the same, of any tract, piece or parcel of land from any individual or individuals, bodies politic or corporate, within the boundaries or limits of the state for the purpose of erecting thereon lighthouses, beacons, works for improving navigation, post offices, custom houses or any other needful public structures, or works of improvement whatever; and all deeds, conveyances of title, papers for the same, shall be recorded as in other cases upon the land record of the county in which the land so conveyed may lie; and in case such land cannot be acquired by purchase the same may be acquired by said government by condemnation according to the laws of this state, providing for the taking of lands without the owner's consent for purposes of public utility : Provided, that the quantity of land shall not at any one place exceed twenty-five acres; and that the State of West Virginia hereby reserves the right to execute process, both civil and criminal, within the limits of any lot or parcel of land so purchased, or acquired as aforesaid, by the United States; the consent herein and hereby given, being in accordance with the seventeenth clause of the

Acts 1872-3,
amended.

Consent given
to the purchase,
etc., by the
United States
Government,
etc., of land for
public purposes.

Deeds, Convey-
ances, etc., how
and where re-
corded.

Right to ac-
quire by con-
demnation.

Quantity of
land limited.

Right reserved
to execute pro-
cess both civil
and criminal.

Laws governing
the consent
hereby given.

eighth section of the first article of the constitution of the United States and with the acts of congress in such cases made and provided.

CHAPTER C.

AN ACT concerning clerks' fees in certain cases.

Approved, December 25, 1875.

Be it enacted by the Legislature of West Virginia :

Clerks of courts not to charge for searching for records in certain cases.

When not to charge for services in cases for the establishment, etc., of roads, etc.

1. That it shall not be lawful for any clerk of any court to charge for a search for any paper, record or thing in his office, if the party requesting it desires a copy of the paper or record searched for, but he may, nevertheless charge for such copy. Nor shall any clerk of any court charge a fee for services in the establishment or alteration of any public road or any private road for public use, unless there be a contest concerning it, and a judgment be given for costs by the court.

CHAPTER CI.

AN ACT prescribing the times of holding the county courts in the county of Preston.

Approved, December 25, 1875.

Be it enacted by the Legislature of West Virginia :

Times for holding county courts in Preston county.

Inconsistent acts repealed.

Commencement

1. That the county courts of Preston county be hereafter held on the first Monday in January, second Monday in March, third Monday in May, first Monday in July, first Monday in September and third Monday in November.

2. All acts and parts of acts inconsistent with this act are hereby repealed.

3. This act shall be in force from and after the passage thereof.

[Note by the clerk of the House of Delegates.]

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

CHAPTER CII.

AN ACT to amend and re-enact section five of chapter fifty-four of the Acts of 1872-3, concerning the Attorney-General and the attorneys for the State.

Approved, December 25, 1875.

Be it enacted by the Legislature of West Virginia:

1. That section five of chapter fifty-four of the acts of 1872-3, be amended and re-enacted so as to read as follows: Acts 1872-3 amended.

“5. It shall be the duty of every prosecuting attorney in this state to attend to the criminal business of the state, in the county in which he is elected and qualified, and also to civil cases, in which the state is interested in such county, when required by, and under the direction of the auditor. And when he has information of the violation of any penal law committed within his county, shall institute and prosecute all necessary and proper proceedings against the offender, and may in such case issue or cause to be issued, a summons for any witness he may deem material. He shall also represent the county in all suits and proceedings for, and on behalf of or against the county or county court, overseers of the poor or other public authorities of the county, and carefully look after and give attention to the general interests of the county. And no allowance or compensation shall be made for such services except the allowance provided for in chapter fifty-one of the acts of 1872-3.” Duties of prosecuting attorneys. No additional compensation allowed.

CHAPTER CIII.

AN ACT to repeal section three of chapter forty-seven of the Acts of 1872-3, in relation to juries in cases of felony.

Approved, December 25, 1875.

Be it enacted by the Legislature of West Virginia :

That section three of chapter forty-seven of the Acts of 1872-3 be and the same is hereby repealed.

Section 3 of chapter 47, acts of 1872-3, repealed.

CHAPTER CIV.

AN ACT to authorize the circuit courts of this State to set aside certain voluntary conveyances of real estate, made during the late war between the States, by parties influenced by the fear of confiscation.

Approved, December 25, 1875.

Be it enacted by the Legislature of West Virginia :

Circuit courts authorized to set aside certain voluntary conveyances of real estate, made, between June 1, 1861, and January 1, 1865, by parties influenced by fear of confiscation.

1. That whenever in any suit in equity, instituted for such purpose, it shall be made to appear satisfactorily to the circuit court of any county in which the lands hereinafter referred to, or the greater portion thereof, may be situated, the grantor or grantors, in any voluntary conveyance of such lands, executed between the first day of June, 1861, and the first day of January, 1865, made such conveyances without fraud or ^{Covin} ~~error~~, but by reason of an apprehension that, under the then existing laws of the United States, or other laws to be enacted by Congress or the Legislature of West Virginia, the lands so conveyed might be confiscated, it shall be lawful for such court to annul and set aside any such conveyance ; provided, that it shall distinctly appear that no valuable consideration or price was actually paid by the grantee or grantees in any such deeds ; and provided also that all parties interested in such conveyances shall be made parties to such suits, the proceedings wherein shall conform in all respects to the practice and proceedings in other suits in equity.

Proviso as to the consideration. paid.

All parties interested to be made parties to suit.

Proceedings in such cases.

Covin

CHAPTER CV.

AN ACT to amend and re-enact section second of chapter one hundred and two of the Acts of 1872, passed February 27, 1872.

Approved, December 27, 1875.

Be it enacted by the Legislature of West Virginia:

1. That section second of chapter one hundred and two of the acts of 1872 be amended and re-enacted so as to read as follows:

"2. When any such settlement shall be made by such committee, it shall be returned to and filed with the clerk of the circuit court of the county wherein such settlement shall have been made; and upon the failure of any person, found to be in arrears for any such moneys upon such settlement as aforesaid, to pay the same to the sheriff of the county, or such other officer as the said circuit court may direct, the said committee are hereby authorized and it shall be their duty to employ counsel and forthwith proceed to enforce the collection of the amount found due, as aforesaid, together with legal interest thereon from the date the same became due, and also ten per cent. damages on the same amount from the same date, from said person or persons or his executors, administrators, representative, or security, by motion on ten days' notice, or by action in the circuit or county court, of the county or any court having jurisdiction wherein such settlement is had in the name of the board of education of the township or district or independent school district wherein such default shall have occurred. But in case said committee shall be unable by reason of the failure of any such board of education, officer or person to appear before them in pursuance of such notice, or to produce to them any book, record, voucher or account or other necessary paper or statement to make such settlement, it shall be their duty to employ counsel and proceed at once to file their petition in the circuit or county court of their county, or in the clerk's office thereof in vacation, against any one or more of such board

Acts 1872 amended.

Settlement with school officers; to whom returned and where filed.

Failure of persons found in arrears to pay; collection to be enforced, how and when.

Interest and damages.

Duty of committee when unable to make settlement by reason of failure of any school officer or other person to appear before them etc.

Proceedings in such cases.

of education, officers or persons and their securities or the personal representatives of any member of such board, officer, person or security, as they may deem necessary and proper to compel such settlement and thereupon a summons shall issue against the defendant or defendants in said petition, to appear and answer the same on the first day of the next term of the circuit or county court of said county thereafter, which summons may be served in the same manner as other summons issued by the clerk of said circuit or county court may by law be served, and such proceedings on said petition shall thereafter be had as in a suit in chancery regularly brought in such court for the settlement of any account.

CHAPTER CVI.

AN ACT to exempt ministers of the gospel from working on the public roads.

Approved, December 27, 1875.

Be it enacted by the Legislature of West Virginia :

Ministers exempted from labor on public roads.

1. That all ordained ministers of the gospel and regularly in charge of congregations be and they are hereby exempted from labor on the public roads in this state.

CHAPTER CVII.

AN ACT to amend and re-enact an act approved February 25, 1875, entitled, "an act to amend and re-enact section eleven of an act passed on the 26th of December, 1873, entitled, 'an act relating to the School District of Martinsburg, West Virginia.'"

Approved, December 27, 1875,

Be it enacted by the legislature of West Virginia :

1. That section eleven, of an act approved February

25, 1875, entitled, "an act to amend and re-enact section eleven of an act passed on the 26th of December, 1873, entitled an act relating to the school district of Martinsburg, West Virginia," be amended and re-enacted so as to read as follows :

"11. It shall be the duty of the board of education annually in the month of July, to determine as nearly as practicable the amount of money necessary, in addition to all other available funds, to continue the schools of the district for a period of not less than nine months and for all other purposes relating to the schools of the district, such as repairing and improvement of school premises, the purchase of sites and the building of school houses, the payment of debts previously contracted, which may fall due within the year, and said board shall cause the amount to be assessed on all the taxable property of the district, subject to State and county taxes; provided, that no more than five mills on the dollar valuation of said taxable property shall be assessed in any one year for the purpose of continuing the schools for said period of not less than nine months, and for ordinary repairs and incidental expenses, and not more than four mills on the dollar valuation for the purchase of sites, the building of houses and permanent improvements. The amount collected under the assessment last named shall be known as the building fund. The assessment made under the provision of this section shall be levied by the board of education, and collected by the same officer as the county levies are collected. The amounts thus collected shall severally be certified by the collecting officer to the clerk of the board of education, and shall be paid out only upon drafts signed by the president and countersigned by the clerk and issued by order of the board of education; but the board shall not, during any one year, incur any expenses for school purposes, which shall exceed the amount of available funds received for such purposes during that year. The board shall have authority to borrow money for building purposes and the purchase of sites for school buildings, and to that end may execute bonds or other evidences of

Chapter 17 acts
1875' amended.

Annual assess-
ment for school
purposes.

Proviso limiting
amount to be
assessed.

Building fund
Who to levy
assessment.

Who to collect.

To whom certi-
fied.

How paid out

Expenses
incurred
limited.

Authority to
borrow money
and execute
bonds, etc.

How secured. debt, to be secured by a lien upon such sites, and the buildings thereon erected, which have been or may be purchased under the authority of this act :

Proviso as to how bonds, etc. shall be signed, and what to show on their face. Provided, That such bonds, or other evidences of debt shall be signed by the president of the board, and countersigned by the clerk, and shall show on their face the particular ground and buildings which shall be pledged for their payment ; and provided further, that the

Proviso limiting interest when paid. interest to be paid thereon shall not exceed the rate of eight per centum per annum, to be paid semi-annually ;

When bonds to become due and payable. and it is also further provided that such bonds shall become due and payable within a period not exceeding

Sinking fund. twenty years ; and that so much of the building fund to be annually obtained from the assessment for the purchase of sites, and the erection of permanent improvements as shall be necessary to pay the interest on all such bonds, and establish a sinking fund for their payment at maturity, shall be annually set apart for that purpose whenever a loan shall be negotiated and bonds

Bonds, etc., to be issued therefor ; and it shall be the duty of the clerk of the board to keep a proper register of all such bonds or evidences of debt issued by the board showing the interest paid thereon semi-annually, and the amounts passed to the credit of the sinking fund to be provided

Mortgages or deeds of trust to be recorded. for their payment as herein required. All mortgages or deeds of trust which may be executed under the authority of this act shall be admitted to record and have full

Effect thereof when properly authenticated, etc. force and effect according to the tenor and effect thereof, when signed by the president of the board and countersigned by the clerk and acknowledged for record by both of those officers ; provided, that all such mortgages

What to set forth. or deeds of trust shall distinctly set forth the order of the board directing their execution.

Ratification of acts, when and how submitted to the voters. 2. It shall be the duty of the board of education of the district of Martinsburg within thirty days from the passage of this act, of which not less than one weeks notice shall be given in the news papers of the district, to order an election to be held at the court house in the district, at which time this act as amended shall be sub-

mitted to the qualified voters of the district for ratification.

Those voting for it shall vote a ballot written or printed thereon the words "for amendment," and those opposed voting a ballot with the words thereon "against amendment." If the result of said election show that three-fifths of all the votes cast are in favor of this act, then this act shall be declared ratified and be in full force from that date. The board of education of the district shall appoint competent inspectors and clerks to conduct said election according to law, who shall certify the result thereof to the board of education within three days thereafter.

Ballots; what to have written or printed thereon.

Three-fifths necessary to ratify.

Inspectors and clerks of elections; how appointed.

How, when and to whom result certified.

4. This act shall be in force from and after its passage.

Commencement.

[Note by the Clerk of the House of Delegates.]

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each house, by a vote taken by yeas and nays, having so directed.

CHAPTER CVIII.

AN ACT to amend and re-enact section four of chapter one hundred and twenty-two of the Acts of 1872, entitled "An act to amend and re-enact an act passed February 19, 1870, amendatory of 'an act to amend the charter of the Little Kanawha Navigation Company,' " passed March 4, 1868.

Approved, December 27, 1875.

Be it enacted by the Legislature of West Virginia :

1. That section four of chapter one hundred and twenty-two of the acts of 1872, be amended and re-enacted, so as to read as follows :

Acts 1872, amended.

4. The said company shall not collect tolls or lockage on any article or thing coming from the West Fork of said river, or on any article or thing put into said Little

Company not to collect tolls, etc; on any article, etc., coming from etc., or put

in, etc., except
\$1,50 on each
barge, etc.

Forfeiture for
violation.

How recovered.

Kanawha river above the mouth of the said West Fork, except one dollar and fifty cents on each boat or barge, laden or unladen, and on each raft, at each lock completed, and in working order. If the said company violate the provisions of this section it shall forfeit to the party aggrieved thereby, for every violation thereof, not less than twenty nor more than fifty dollars, which may be recovered by the party so aggrieved before a justice of the peace or any court having jurisdiction.

CHAPTER CIX.

AN ACT appropriating money to pay teachers in the Normal Schools for the school year ending August 31, 1876, and to furnish the Concord Normal school building.

Approved, December 27, 1875.

Be it enacted by the Legislature of West Virginia :

Appropriation
to pay teachers
in Normal
Schools, and to
furnish Concord
building.

1. That the auditor be and he is hereby authorized to draw his warrant on the treasurer on the order of the board of regents of the normal schools to pay teachers therein for the fiscal year ending on the 31st day of August, 1876, and for such other purposes as are hereinafter expressly provided, the following sums, that is to say :

To Marshall College, one thousand dollars.

To the Fairmont Normal School, one thousand dollars.

To the West Liberty Normal School, one thousand dollars.

To the Glenville Normal School, one thousand dollars.

To the Shepherdstown Normal School, one thousand dollars ; and to the Concord Normal School, in Mercer county, one thousand dollars, five hundred dollars of which shall be expended by the Executive Committee of the said Normal school in furnishing the said Normal school building at Concord with suitable furniture, apparatus and improving the grounds belonging thereto, and the residue of the said sum to be expended in pay-

ing teachers ; which said several sums are hereby appropriated to be paid out of any money in the treasury not otherwise appropriated.

CHAPTER CX.

AN ACT making appropriations of public money to pay general charges upon the treasury.

Be it enacted by the Legislature of West Virginia :

1. That so much of the public taxes, and arrears of taxes and all other sources of revenue which may have been received into the public treasury since the first day of October, 1875, and which may be received therein prior to the first day of October, 1876, which may be necessary to pay claims and charges upon the treasury, other than the salaries of the officers of the government, shall constitute a fund for that purpose. No money belonging to any fund shall be taken for any other purpose than that for which it has been, or may be appropriated or provided, and to that end there shall be, and is hereby appropriated out of the fund from taxation and other sources of revenue, a sum sufficient to pay the following charges, payable out of the treasury during the fiscal year ending with the thirtieth day of September, 1876.

Appropriations to pay general charges upon the Treasury.

No money belonging to any fund to be taken for any other purpose, than that for which it has been appropriated.

Fiscal year.

Legislative Department.

For contingent expenses for the adjourned session, commencing November 10th, 1875, and such other and further sums as may be lawfully expended, six thousand dollars.

Contingent expenses of adjourned session of Legislature.

Judicial Department.

To pay mileage of the Judges of the Supreme Court of Appeals, and the judges of the circuit courts, one thousand seven hundred dollars.

Mileage of judges.

To pay allowances to the several officers of the Supreme Court of Appeals, and the contingent expenses of

Allowances to officers of Court of Appeals; and

contingent ex- said court, and the contingent expenses of the circuit
 penses of said courts, to be certified by the courts respectively accord-
 court. ing to law, two thousand dollars.
 How certified.

EDUCATIONAL DEPARTMENT.

University.

Construction of To pay for construction of buildings, seventeen
 buildings. thousand dollars.

Salaries of Pro- To pay salaries of professors and instructors, and cur-
 fessors. rent expenses of the university at Morgantown, eight
 thousand dollars; but no part of this sum shall be ex-
 pended for the purchase of books and stationery for
 cadets.

Expenses of Re- To pay expenses of regents visiting the university, five
 gents. hundred dollars.

Insurance. To pay for insurance on the university buildings, six
 hundred and twenty-five dollars.

Samuel Woods. To pay Samuel Woods, balance of attorney's fees in
 case of Huffman against the board of regents, two hun-
 dred dollars.

How paid. The said sums to be paid on the order of the execu-
 committee of the board of regents of the University of
 West Virginia:

Normal Schools.

Secretary of To pay the salary of the secretary of the board of re-
 Board of Re- gents, two hundred and fifty dollars.
 gents.

Expenses of To pay expenses of the board of regents while visit-
 Board. ing the normal schools, three hundred dollars.

Furnishing, To pay for furnishing the normal school building, at
 etc., building at Concord. Concord, in Mercer county, with apparatus, furniture
 &c., five hundred dollars. To be expended by the ex-
 ecutive committee under the direction of the state board
 of regents.

EXECUTIVE DEPARTMENT.

Civil Contingent Fund.

Contingent To pay upon the order of the governor for contingent
 fund, to be expenses of, and extra clerk hire for the different execu-
 expended by governor.

tive offices, and to pay all expenses attending the execution of any law for which no appropriation has been made, eight thousand dollars.

Salaries of Clerks.

To pay salary of the private secretary of the governor, Secretary to governor. one thousand dollars.

To pay the salary of the clerk in the office of the sec- clerk to secretary of state. retary of state, one thousand dollars.

To pay salary of clerks in the auditor's office, four Clerks in auditor's office. thousand eight hundred dollars.

To pay salary of the clerk in the treasurer's office, one Clerk in treasurer's office. thousand dollars.

To pay salary of the clerk in the office of the state Clerk in office of state superintendent of schools. superintendent of free schools, to be paid out of the general school fund, one thousand dollars.

Capitol Building Expenses.

To pay for coal, gas, ice, water and other necessary Coal, gas, ice, etc., and care of buildings, etc. charges, to take care of and preserve the public grounds and buildings, to be paid out of the contingent fund hereinbefore provided, and not in addition thereto, and to be paid on the order of the governor, seven hundred How paid. dollars.

To pay for policy of insurance on the buildings used Insurance on library, etc. by the public authorities, and on the state library and other property belonging to the state, to be paid out of the contingent fund hereinbefore provided, and not in addition thereto, to be paid on the order of the Governor, How paid. three hundred dollars.

Public printer.

To pay for public printing, binding and stationery, Public printing. done or furnished according to law, during the current fiscal year, under the contracts therefor, ten thousand dollars.

To pay for printing one thousand copies of Stahl's school Stahl's school register. register, six thousand dollars, to be paid out of the general school fund.

Penitentiary.

Salary of superintendent.	To pay salary of the superintendent of the penitentiary, fifteen hundred dollars.
Clerk.	To pay salary of the clerk of the penitentiary, one thousand dollars.
Company.	To pay the salary of the commissary of the penitentiary, one thousand dollars.
Support of convicts.	To support convicts in the penitentiary, to be paid and disbursed on the orders of the board of directors, nine thousand five hundred dollars.
Guards.	To pay guards in the penitentiary, nine thousand dollars.
Repairs and construction, etc.	To pay for repairs and construction of the penitentiary buildings and shops, to be drawn and disbursed under the orders of the board of directors, five thousand dollars.
Water works.	To pay for the construction of water works six thousand dollars.

Criminal charges.

Criminal charges.	To pay criminal charges, thirty-five thousand dollars.
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CHARITABLE INSTITUTIONS.

Hospital for the insane, at Weston

To pay officers and employees, etc.	To pay the salary of officers and employees, the clothing, medicine and subsistence of the lunatics confined in the West Virginia Hospital for the insane, at Weston, fifty-six thousand dollars.
To rebuild engine house, etc.	To rebuild the engine house and laundry and for providing apartments for the colored insane such sum as may be necessary, not exceeding fifteen thousand dollars: Provided, That no part of said sum shall be drawn from the treasury until the directors of the asylum shall certify to the auditor that the balance now in the hands of the treasurer of the asylum, for construction purposes, has been expended in the erection of the engine house and laundry; and then only 'so much shall be drawn as, with said unexpended balance, will make the sum of fif-
Proviso.	

teen thousand dollars; and the entire cost of the How expended. engine house and laundry, and for providing apartments for the colored insane, shall not exceed fifteen thousand dollars; five thousand dollars of which shall be expended in erecting an engine house and laundry, and ten thousand dollars for providing apartments for the colored insane.

To pay for the transportation of patients to the hospital for the insane, two thousand five hundred dollars.

To pay the insurance, for one hundred thousand dol- Insurance. lars, or more, for at least five years, on the hospital for the insane, three thousand dollars. All of which sums shall be expended under the orders of the board of directors of the hospital.

Lunatics in jail.

To pay jailors fees authorized by law for subsistence, To pay jailors fees, and clothing, and support of lunatics confined in the jails, arrears. and those supported elsewhere under orders of the courts, and for arrearages, twelve thousand dollars.

Institution for the deaf dumb and blind.

To pay current expenses for the support of the insti- To pay current expenses. tution for the deaf, dumb and blind, at Romney, twenty-five thousand dollars.

For construction purposes, eleven thousand dollars. For construction.

For furniture, one thousand dollars. For furniture.

To pay for transportation of indigent pupils, three Transportation. hundred dollars.

All of which sums shall be expended under the orders How expended. of the executive committee of the board of regents.

Civil Administration.

To pay the several assessors of the State for listing To pay for list- births and deaths, and for other services required by ing births and law, one hundred and fifty dollars. deaths, etc.

Overpaid Taxes.

To return money into treasury, etc. To return money paid into the treasury in excess of indebtedness, seven thousand dollars.

Erroneous Assessments.

To pay erroneous assessment. To pay erroneous assessments, in pursuance of orders of exoneration, five thousand dollars.

Return of County Taxes paid into the Treasury.

County tax returned. To return to counties the amount of levies received by the auditor and directed to be paid to the several counties for the proceeds of the redemption of delinquent lands, twenty-five thousand dollars.

To refund railroad taxes. For refunding to counties and districts railroad taxes one thousand dollars.

Agents.

To pay commission to agents and attorneys. To pay commissions to agents and attorneys for the collection of debts due from defaulting officers, on so much as shall have been paid into the treasury, three thousand dollars.

Miscellaneous.

To pay commissioners for re-assessment of lands. To pay balance due and unpaid to commissioners for the re-assessment of lands throughout the State, four thousand, four hundred and fifty dollars.

G. W. Kennedy. To pay G. W. Kennedy for transporting a lunatic from the jail of Ohio county to Washington City, D. C., seventy-one dollars and fifty cents.

Vaccine agents. To pay vaccine agents, two-hundred dollars.

Amount borrowed from school fund. To pay school fund amount borrowed from it, and interest, twenty thousand dollars.

To pay amount of taxes, etc., to school fund. To pay school fund amount of taxes, collected on revenues of corporations, since April 12, 1873, eleven thousand and two hundred and forty-seven dollars and ten cents.

Commissioners assess railroad property. To pay commissioners to assess railroad property, three hundred dollars.

To pay for printing and binding the seventh, eighth

and ninth volumes of West Virginia reports, four thousand and five hundred dollars : provided, that no part of this sum shall be paid until the Court of Appeals, or a majority of the judges thereof shall certify that the work of printing and binding has been done according to contract.

West Virginia reports.

Proviso as to payment.

To pay deficiency in appropriation for stationery, three thousand, eight hundred and sixty-seven dollars and seventy-two cents.

Deficiency for stationery.

To pay Wm. J. Kenney, a member of the state board of examiners, for expenses incurred by him in the performance of his duties, two hundred and seventy-one dollars and eighty-seven cents. To be paid out of the general school fund.

W. J. Kenney's expenses of.

Out of what fund.

To pay Joseph McMurran, a member of the state board examiners, for expenses incurred by him in the performance of his duties, seventy-six dollars. To be paid out of the general school fund.

Expenses of Joseph McMurran.

Out of what fund.

To pay expenses attending impeachment trials, two thousand dollars, or such further sum as may be necessary.

Expenses attending impeachment trials.

To pay the expenses of the commissioners of the Ohio River improvement, one thousand dollars. To be paid upon the order of the governor.

To pay commissioners of Ohio river improvement.

Be it further enacted, that all moneys hereby appropriated to be used within the said fiscal year and not drawn within the period of said fiscal year, ending on the 30th day of September, 1876, shall not be thereafter drawn without authority of law. But to pay the same and every part thereof, the Auditor is hereby authorized and required, when properly demanded, to issue his warrant on the treasury in the same manner he would be required to do if each item of expenditure was directed to be paid to a creditor by name ; and no money shall be drawn from the treasury beyond the appropriations hereby made, unless the same is authorized by the constitution or by some general law not provided for in this act. But appropriations to any of the public institutions of the state for said fiscal year, may be drawn

Moneys not drawn during fiscal year not afterwards drawn without authority of law.

Auditor authorized to pay.

No money beyond appropriation to be paid.

Exception as to appropriations for public institutions.

To be drawn only as required for immediate use.

No treasurer, etc., to receive as compensation or commission the money hereby appropriated.

after the end of said fiscal year, and no money appropriated hereinbefore for said institutions shall be drawn from the treasury except as the same may be actually required for immediate use, and none of the money hereinbefore appropriated for said institutions shall be allowed or paid to any treasurer thereof as compensation or commission.

Approved December 27, 1875, except as to the following item: "To pay for furnishing the Normal School building at Concord, in Mercer county, with apparatus, furniture, &c., five hundred dollars. To be expended by the Executive Committee under the direction of the State Board of Regents."

[Note by the Clerk of the House of Delegates.]

The foregoing act takes effect from the date of its approval, two-thirds of the members elected to each house by a vote taken by yeas and nays, having so directed.

CHAPTER CXI.

AN ACT declaring Mud River, in Cabell and Lincoln counties a navigable stream and public highway.

Approved, December 28, 1875.

Be it enacted by the Legislature of West Virginia:

Mud river declared a navigable stream and public highway.

1. That Mud river, from its mouth in the county of Cabell to the mouth of Big Laurel, in Lincoln county, is hereby declared a navigable stream and public highway, to be, from the passage of this act, subject to all the laws of this state and regulations relating to navigable streams and public highways.

CHAPTER CXII.

AN ACT in relation to the jurisdiction of such courts of limited jurisdiction, as have been, or may be, established in incorporated towns or cities, over cases for violation of ordinances of such towns or cities and regulating the proceedings in such cases.

Approved, December 29, 1875.

Be it enacted by the Legislature of West Virginia :

1. Where any fine, penalty or punishment may lawfully be imposed for a violation of an ordinance of any incorporated town or city, in which a court of limited jurisdiction has been or may be established, such court shall have exclusive jurisdiction of the case. The proceedings in such case shall be by summons on behalf of the town or city as plaintiff, and shall conform to the regulations, so far as they are applicable, respecting civil suits and proceedings before justices of the peace. But the judge or clerk of such court, for good cause shown, may, by endorsement on any such summons, order the defendant or defendants to be arrested and brought forthwith before such judge to be dealt with according to law.

Courts of limited jurisdiction to have exclusive jurisdiction of all cases where any fine, penalty, or punishment may be imposed for a violation of an ordinance etc.

Proceedings in such cases.

Judge or clerk of such court, for good cause shown, may, etc., order defendant, etc. to be arrested and brought forthwith before such judge, etc.

2. All acts and parts of acts heretofore passed are hereby repealed so far as they are inconsistent with this act.

Inconsistent acts repealed.

CHAPTER CXIII.

AN ACT to amend and re-enact section ten of chapter thirty-four of the Code of West Virginia, concerning express companies, and to repeal so much of section thirteen of said chapter as is inconsistent or in conflict therewith.

Approved, December 29, 1875.

Be it enacted by the Legislature of West Virginia :

1. That section ten of chapter thirty-four of the code

Code amended. of West Virginia, be amended and re-enacted so as to read as follows :

Returns to be made by express company; what they must show. "10. If the returns be made on behalf of an express company, they shall show the amount of charges and freights, whether paid or uncollected, accruing to such company during the period to which the said returns relate on account of money, goods and merchandise, forwarded or carried within this state, by the said company or under its charge or care, and at the time of making such return the officer or agent making the same shall pay into the treasury of the state a tax of one per cent. on the gross amount stated in the said return, and such tax when paid shall be in full of all taxes to be paid by the said company.

What tax agent or officer must pay into treasury on gross amount stated in such return.

When paid to be in full of all taxes, etc.

Inconsistent acts repealed. 2. So much of section thirteen of the thirty-fourth chapter of the code of West Virginia, as is inconsistent or in conflict with this act is hereby repealed.

CHAPTER CXIV.

AN ACT amending certain sections of chapter forty-two of the Code of West Virginia, for taking lands for public purposes without the owner's consent.

Approved, December 29, 1875.

Be it enacted by the Legislature of West Virginia :

Code amended. 1. That chapter ~~forty~~ ^{forty} two of the code be amended and re-enacted so as to read as follows :

Private property not to be taken, etc., for public use, nor by any incorporated company, etc., without just compensation. "1. That private property shall not be taken or damaged for public use without just compensation ; nor shall the same be taken by any company incorporated for the purpose of internal improvement, until just compensation shall have been paid, or secured to be paid to the owner ; and when private property shall be taken or damaged for public use, or for the use of such corporations, the compensation to the owner shall be ascertained in such manner as may be prescribed by general law : provided, that when required by either of the parties,

Compensation ; how ascertained

Provide as to when compen-

such compensation shall be ascertained by an impartial jury of twelve freeholders. sation shall be ascertained by a jury.

2. The public use for which such private property may be taken shall be for the purposes of internal improvement; for the construction of roads, canals public streets and alleys; for incorporated companies, of which the state is sole, or part owner; for court-houses and other public, buildings and for the use of cemetery associations, and for the use of companies organized to transport carbon oil, by pipe-laying or otherwise, and for telegraph companies, for school houses, and all other public institutions incorporated by law; and if such private property be taken by any incorporated company, other than a company incorporated for public purposes alone, in which the state is owner of the property, the same shall not be taken or damaged until just compensation shall have been paid to the owner, or secured to be paid in such manner as the court before whom the proceedings may be had shall deem satisfactory. The compensation for the owner shall be ascertained in the mode hereinafter prescribed, and if condemnation be for temporary purposes, it shall, in like manner, be ascertained for the time desired, the damages in the same manner as for permanent purposes. Purposes for which private property may be taken.

3. In any case in which real estate may be lawfully taken, application by petition may be made to the county court or any other court or tribunal established in lieu of a county court, of the county in which the estate is situated, to appoint commissioners to ascertain a just compensation to the owners of the estate proposed to be taken, and if a tract of land lie partly in one county and partly in another, the application as aforesaid in relation thereto may be made in either county. If taken by incorporated company, other than one incorporated for public purposes alone, etc., compensation must be paid or secured, etc.

4. The proceeding may be instituted jointly against all the owners of real estate proposed to be taken, lying within the county, including tracts lying partly therein, and partly in an adjoining county; or it may be instituted against the owners of one or more parcels, whether any of said owners have a privity of estate therein or not. Compensation for temporary purposes; how damages ascertained.

5. The application must be by petition in writing, and Application for real estate proposed to be taken; how and where made.

Where and lie partly in one and partly in another county.

Against whom proceedings to be instituted.

Application must be in writing; what must be stated therein.

shall describe with reasonable certainty the real estate proposed to be taken, and shall state, (so far as they are known to the applicant,) the names of the owners of each parcel, and the nature of their respective interests. If there are any liens on said estate created by judgment, deed of trust, or otherwise or conflicting claims thereto, the petition shall state the nature and amount of such liens and claims, and the names and residences of the persons holding the same, as far as they are known. The petition shall also state the purpose to which said estate is intended to be appropriated, and may state the sum of money, if any, which the applicant has offered, or is ready to pay therefor to the owner of each parcel.

Notice of application; how given and what to contain.

6. Of such application, ten days notice shall be served on the said owners, claimants and persons holding liens, and the notice may be given either before application is presented or afterwards. But where the owners of all or any part of the real estate proposed to be taken, or the persons holding such liens or conflicting claims, or of any of them are not in the county, or are unknown to the applicant, the notice as to them, instead of being thus served, may be given by advertisement containing a specific description of the property in which they are interested that is proposed to be taken, and stating the purpose to which it is intended to be appropriated, and the time and place at which a hearing will be asked for upon the said application; which advertisement must be published at least once a week for four weeks successively in some newspaper printed in the county, or if none be printed therein, then in some newspaper of general circulation in the county, and must also be posted at the front door of the court house of the county four weeks at least before the hearing.

Parties under disabilities or unknown.

If owner holding such lien or claim be under disability; how notice served.

7. If any owner or person holding such lien or claim be under disability, and there be a guardian or committee for him, such guardian or committee shall be notified; but if there be no guardian or committee, or if any such owner or person be unknown, the court shall appoint a

When guardian ad litem to be

guardian ad litem to defend their respective interests, ^{appointed; his} and may direct the expenses of such guardian ad litem, ^{duties and} including a reasonable attorney's fee, to be fixed by the ^{compensation.} court, but not to exceed twenty dollars.

When further notice may be required.

8. On the hearing, if it appear that there is any person who ought to be notified of the proceeding, to whom ^{When further notice may be required.} proper notice has not been given, the court shall make an order staying the proceeding until proper notice has been given to such person.

When the owner accepts the sum offered.

9. If the applicant has stated in his application the ^{Order to be made where the owner accepts the sum offered for the land; effect of such order, etc.} sum of money he is ready to pay to any owner for his interest in the real estate or any parcel thereof, proposed to be taken, and such owner, not being under disability, consent to accept the same, and there be no lien or other conflicting claims thereto, the court shall make an order that, on such payment being made, the interest of the said owner shall be thereby transferred to the applicant; and a copy of such order, with the receipt of the said owner for the money, written on or annexed thereto, shall operate as a conveyance, with special warranty, and may be acknowledged for record, and recorded in like manner and with like effect; and, if desired, the court may order a deed to be made by a commissioner, appointed for the purpose.

Appointment of Commissioners.

10. But except in the case specified in the preceding ^{Commissioners appointed to appraise property.} section, upon its appearing that proper notice has been given, and that the case is one in which the applicant has lawful right to take private property for the purpose stated in the application, upon just compensation, five disinterested free-holders shall be appointed commissioners, to ascertain what will be a just compensation to the person entitled thereto, for each parcel of real estate proposed to be taken. No person shall be deemed in-

terested, or incompetent to act as commissioner, by reason of his being an inhabitant of the county, district or town on behalf of which the application was made or holding property therein.

How commissioners selected; vacancies how filled.

11. The appointment of commissioners shall be as follows: Thirteen disinterested freeholders shall be nominated by the court, of whom the applicant may strike off four or any less number from the list, and the defendants or such of them as appear or are represented, may also strike off four or any less number, and after eight names are stricken from the list, the remaining five shall be the commissioners. But where there is no appearance for the defence, or the defendants who appear, or are represented, do not agree as to any one or more of the names to be stricken off on their behalf, or the right to strike off any one or more names is waived on the part of either the applicant or defendant, or from any cause the full number shall not be stricken off by the parties, the names or additional names, as the case may be, to be stricken from the list in order to reduce the number to five, shall be ascertained by lot, under the direction of the court. Vacancies shall be filled, and any commissioner, for good cause shown, may be removed, by the court. But any of the parties to such proceeding may require the compensation to be ascertained by an impartial jury of twelve freeholders, to be empanelled in such manner as the court may prescribe, and sworn according to law, but the court shall not order a jury of twelve freeholders unless the same be by written requirement, and not then unless the requirement is made before the court has appointed the commissioners in this section provided for; and if any one or more of the defendants be under the age of twenty-one years, or be proceeded against as a non-resident, the court shall order a jury as to such person.

When court shall order a jury to ascertain compensation.

Duties and powers of the Commissioners.

Oath of commissioners.

12. Before entering upon the discharge of his duties, each commissioner shall take an oath before some per-

son authorized by law to administer the same, that he will honestly and impartially perform his duties as such commissioner to the best of his skill and judgment; which oath shall be certified by the person administering the same, and filed with the papers in the case, in the office of the clerk of the court.

How certified and where filed.

13. Any four of the said commissioners may act in the absence of the other, and any one of them may sign and issue subpoenas for witnesses in like manner as a justice, and with like effect; and may swear any witness who appears before them, that the evidence which he will give relating to the matters to be reported upon by the said commissioners, shall be the truth, the whole truth and nothing but the truth. They may adjourn their sessions from time to time as shall be necessary; and any person interested may attend in person or by attorney, produce and examine witnesses, read depositions duly taken and other proper evidence, and be heard, if he require it, in support of his rights according to the usages and rules of law.

Commissioners; any four may act.

May issue subpoenas for, and swear witnesses.

May adjourn from time to time.

Persons interest may appear before them at hearing, etc.

14. When a jury shall be required, the court before whom the proceedings shall be had, shall direct its clerk to issue a writ of ad quod damnum, to be directed to the sheriff of the county court commanding him to summon twenty discreet free-holders of the county to meet on the premises proposed to be appropriated, on a day to be named in the writ. If the whole number of jurymen summoned do not attend on the day named, so as to form the number of twenty, the sheriff may summon others so as to complete the panel, and when so completed, the parties may each strike therefrom the names of four, and the remainder shall constitute the jury; but if either party should fail to strike from the list the number of four, the names remaining shall be deposited in a box, from which the sheriff shall draw a jury of twelve, who shall be sworn by the sheriff to honestly and impartially perform their duties to the best of their skill and judgment. The sheriff may adjourn the said jury from day to day until their duties are completed.

Writ of ad-quod damnum; when issued and to whom directed.

Sheriff to complete panel of jury.

How jury selected.

May adjourn inquisition from day to day.

If from any cause, the jury should not meet upon the day named in the writ, the sheriff shall designate another day for their meeting, and give notice thereof to the parties or their attorneys, if found within his county.

Return of writ
and report, etc.,
of jury to court.

The sheriff shall return the writ to the court, showing how it has been executed, together with the report or finding of the jury.

Value of land;
how to be ascer-
tained by com-
missioners or
jury.
Report; form of.

15. As to each tract, the commissioners or the jury, as the case may be, after viewing the same, and hearing any proper evidence which is offered by any of the parties, shall ascertain what will be a just compensation to any or all the persons entitled thereto, for so much of the real estate as is proposed to be taken, and for damages to the residuo of the tract, as the case may be, shall thereupon make report in substance, as follows: "We, the undersigned commissioners, appointed by the county court of ——— county, by an order made (or, we the jury impaneled in pursuance of an order made by the county court of ——— county,) on the application of ——— respectfully report that, having been first duly sworn, we have viewed the real estate owned by ———, mentioned in said application, and are of opinion that \$—— will be a just compensation for so much of said real estate as is proposed to be taken by said applicant, that is to say: (Here describe the part to be taken, so as to identify the same with reasonable certainty, which description may be by reference to a plat annexed to the report, or in any manner that would be sufficient in a conveyance,) as well as for damage to the residuo of said real estate. Given under our hands, this ——— day of ———."

By whom report
signed; where
filed.

16. The report shall be signed by all of them, and forthwith returned to the clerk's office of the court, to be filed with the papers of the case.

Report in case
of proceedings
against owners
of different
tracts.

17. When the proceeding is instituted jointly against the owners of different tracts, a separate report shall nevertheless be made as to each tract; and such reports may be made at different times, and a separate hearing had upon each report, which shall be confirmed, recommended or set aside, upon its own merits or defects.

How such report
disposed of.

18. When such report has been returned, unless good

cause be shown against it, or it be defective or erroneous on its face, the court shall confirm the same, and order it to be recorded on the order book of the court; but the said court may, nevertheless, if it seem proper, refuse to hear the case upon the said report, and until notice of such hearing be given to the parties interested, their agents or attorneys, or any one of them, as the court may order: Provided, however, that no report made either by the commissioners or the jury appropriating land for cemetery purposes shall be confirmed when it appears upon the face of the report, or satisfactorily proven to the court that the land lies within four hundred yards of a dwelling house.

Confirmation of report.

Proviso as to land taken for cemetery purposes.

Payment of the compensation reported; its effect.

19. At any time within twelve months after the report has been confirmed and ordered to be recorded, the sum so ascertained, with legal interest thereon from the date of the report until payment, may be made by the applicant to the person entitled thereto, or into court. Upon such payment, the title to that part of the land so paid for shall be absolutely vested in fee simple, except that in case of a turnpike or other road (not including, however, a railroad) the right of way only shall be so vested.

Payment of compensation; within what time; to whom made; effect of payment to vest title; exception in case of roads.

Report set aside or recommitment.

20. If any good cause be shown against the report, or if it be defective or erroneous on its face, the court as may seem to be proper, may set it aside, or recommit it to the same commissioners or jury for further report; or other commissioners may be appointed in the same manner as heretofore provided, or another jury impaneled, with or without further notice, as the court may order. If the commissioners or jury report their disagreement, or fail to report in a reasonable time, other commissioners may, in like manner, be appointed, and so again from time to time as often as may be necessary.

When report may be set aside or recommitment; and new commissioners appointed.

Payment after the report is set aside, &c. ; its effect.

Applicant may pay compensation specified in report, though it be set aside, when.

May enter upon land, etc.

Not to be interfered with by injunction, etc., except in case of insolvency, etc.

21. After such report has once been made, though it be set aside, recommitted, or new commissioners appointed, the applicant, upon paying into court the sum ascertained by such reports with legal interest thereon from the date of the report until payment, may, notwithstanding the pendency of further proceedings, enter upon, take, and use for the purpose specified in the application that part of the land in respect to which such payment is made. And no order shall be made, or any injunction awarded by a court or judge, to stay him in so doing, unless it be manifest that the applicant is insolvent, or that he or his officers, agents, or servants are transcending their authority, or that such interposition is necessary to prevent injury which cannot be adequately compensated in damages.

Subsequent report.

Proceedings on subsequent report, in case a greater compensation allowed than by previous report, etc.

If previous payment exceed the sum so reported, excess to be paid back.

Costs of subsequent report; when paid by owner of land.

22. When, after such payment into court as is mentioned in the preceding section, a subsequent report is made which is confirmed and ordered to be recorded, if the sum ascertained by such subsequent report exceed what was so paid, and the applicant fail to pay the same, judgment shall be given against him for the amount of such excess, with legal interest thereon from the date of such subsequent report until payment, but if what was so paid exceed the sum ascertained by such subsequent report, the excess shall be paid back to the applicant out of the fund in court, or by the person to whom the same shall have been paid. If the sum ascertained by such subsequent report do not exceed the sum ascertained by the former report, the party on whose motion the former report was set aside, recommitted, or other commissioners appointed, or jury impaneled, shall pay the cost occasioned by such motion, unless such former report was set aside, recommitted, or other commissioners appointed on some other ground than that of insufficiency of compensation.

23. When judgment is rendered against the applicant, pursuant to the last section, for any excess ascertained by such subsequent report, with interest, the applicant shall thereafter have no right to the possession of the land until the judgment is satisfied. But from the time of such satisfaction by the payment of the money to the persons entitled thereto, or into court; or from the time of the confirmation of the subsequent report, if no additional compensation be thereby ascertained, the title of that part of the land for which such compensation has been made shall be absolutely vested in the applicant in fee simple, except as before excepted in case of a turnpike or other road.

When payment is rendered against applicant for excess, etc., he must pay same before he can occupy land.

When title to land becomes absolute, etc.

How the money paid into court is to be disposed of.

24. To enable the court to dispose properly of any money so paid into court, it may have inquiry made by a commissioner to ascertain what persons are entitled thereto, and in what proportions, and may direct publication to be made requiring all who are interested to appear before the commissioner, that their respective claims may be passed upon. Upon report of the commissioner, or from the evidence before it without such report, the court shall make such disposition of the money as may seem to it right.

Proceedings to enable court to dispose properly of any money paid into court.

Report of commissioner, and proceedings thereon.

Cost of the proceedings.

25. If the applicant has stated in his application the sum of money which he is ready to pay to the owners for any parcel of land proposed to be taken, and it appear by a report or inquest confirmed and ordered to be recorded, that he is entitled to take the said parcel for the purpose mentioned in his application, without paying any greater compensation therefor, he shall be adjudged his costs in respect to the said parcel out of the compensation to be paid therefor to the said owners.

When costs to be paid by owner of land.

26. In cases not otherwise provided for, the applicant shall pay the costs of the proceedings.

When paid by applicant.

27. The commissioners or jurors appointed or empaneled to ascertain the just compensation to be paid, shall

Compensation of commissioners or jurors.

Upon what
proof allowed.

Chapter 42 of
the code, and
all conflicting
acts repealed.

be entitled to two dollars each for every day they are employed in the performance of their duties, and their own affidavit shall be received as evidence in their own behalf.

28. Be it further enacted, That chapter forty-two of the code of West Virginia, relating to the taking of land without the owner's consent, and all laws in conflict with this act are hereby repealed.

CHAPTER CXV.

AN ACT amending and re-enacting sections fourteen, twenty-one and twenty-five of chapter eleven of the Acts of 1872, entitled, "An act relating to the school district of Wheeling."

Passed, December 30, 1875.

Be it enacted by the Legislature of West Virginia:

Acts 1872
amended.

1. That sections fourteen, twenty-one and twenty-five of chapter eleven of the acts of 1872, entitled, "an act relating to the school district of Wheeling," be amended and re-enacted so as to read as follows:

School district
of Wheeling;
collecting officer
for, by what
name known.

"14. The collecting officer named in the preceding sections, shall, for the purpose of this act, be known as the "collector of the school district of Wheeling," and before collecting or receiving any of the moneys of said district, shall give bond, with sureties, not members of the board, approved by the board of education, in such amount as shall be named by said board, which bond shall be filed with the clerk of the board, whose duty it shall be, upon the forfeiture of said bond, to prosecute and collect from said collector and his sureties, the amount named in the bond for the use of said district, and new bond and sureties may be required by the board in proper cases.

Bond of such
officer.

How approved.

Where filed.

Who to prosecute upon forfeiture of bond.

New bond and new sureties; when required.

Officer may
distrain for
taxes; when.

In case any person shall neglect or refuse to pay in whole or in part any tax lawfully levied upon him or her by the board of education, it shall be lawful for the officer appointed to collect such tax, to take reasonable distress of any personal property in said city, belonging to

the said delinquent, or in which he or she shall have any right or interest, and to sell the said property, right or interest, at public sale in said city, (having given ten days notice of the time and place of sale by advertisement posted at some public place in the city,) and out of the proceeds of such sale, after defraying all proper expenses, to pay to the said board of education, the amount which shall be due on account of said tax, returning the balance, if any, to the owner of the property, right or interest so sold. In case any such tax levied upon real estate shall not be paid in full within thirty days from the first day of December, after said levy, it shall be lawful for the officer appointed to collect such tax, to take reasonable distress of any personal property belonging to the owner of said real estate, or in which such owner shall have any right or interest, or of any personal property on the premises taxed belonging to any person in the possession or occupancy thereof, or in which such person shall have any right or interest, and to sell such property, right or interest and apply the proceeds thereof in the manner prescribed in this section. And such officer shall have power to distrain any personal estate which may be on the premises taxed, and the same to sell and apply as aforesaid, notwithstanding such personal estate may be included in any deed, deed of trust, mortgage, bill of sale, or other writing. All such taxes levied upon real estate, shall remain a lien thereon, bearing interest at the rate of ten per cent. per annum from the date when due until the same be fully paid, and the personal property of every person to whom the said real estate shall come by descent, or purchase, and of the person or persons in possession or occupancy thereof, shall be subject to distress and sale in the same manner and to the same effect as if he, she or they were originally chargeable with the said taxes. In all cases in which any such tax levied upon real estate shall be paid in whole or in part by the tenant, or out of his or her property, he or she shall be entitled to deduct the same out of the accruing rent, or to recover the amount so paid from the owner of said real estate, unless it shall have

Sale of property
distrained.

Notice to be
given.

Proceeds how
disposed of.

Tax levied upon
real estate, and
not paid within
30 days from 1st
December, after
levy; officer
may distrain
for.

What property
liable.

Personalty on
premises taxed,
included in any
deed, deed of
trust, etc. not
exempt from
distress.

Taxes levied on
realty, to be a
lien thereon,
bearing ten per
cent interest.

Personal prop-
erty of persons
to whom such
real estate shall
come by descent
or purchase,
and of persons
in possession or
occupancy,
shall be liable
to distress and
sale for such
taxes.

Such taxes
when paid to be
set-off against
rent, etc; unless
otherwise
agreed.

Taxes levied;
when due.

been otherwise specially agreed. All taxes levied aforesaid shall be due and payable on the first day of October of the year in which the levy is made.

Condemnation
of land for
school build-
ings, etc. and
proceedings
thereon.

21. When ground shall have been designated by the board of education as a suitable site for a school house and the necessary buildings, or for enlarging a school house lot, if the owner or owners refuse to sell the same, or demand a price therefor which is deemed by the board unreasonable, the board of education may petition the circuit court of Ohio county to have such ground condemned for the use of public schools, and said court shall appoint a jury of viewers, to consist of three discreet and disinterested persons not resident in the election district in which such ground is located, who, being duly sworn, or affirmed, faithfully and impartially to try all matters submitted to them, shall assess the value of such ground, and, upon due return being made of such assessment, and the amount thereof being paid or tendered to the owner or owners of the ground in question, the said board may enter thereon and use such ground for school purposes: Provided, that no land shall be taken in one parcel which shall exceed in quantity one acre.

Proviso limiting
quantity to be
taken.

Teachers for
grammar and
primary
schools; how
appointed.

Proviso as to
who shall be
employed as
teacher.

Duplicate of
certificate to be
filed to secure
payment.

Salaries of
teachers; when
and how fixed.

25. Teachers for the grammar and primary schools shall be appointed by the commissioners of the respective sub-districts, subject to the approval of the board of education: Provided, That no person shall be employed to teach in any public school of the district who shall not first have obtained from the examining committee, a certificate in duplicate of qualification to teach a school of the grade for which application is made, the duplicate copy of which shall be filed with the clerk of the board of education; and no salary shall be paid to any teacher until such duplicate be filed as aforesaid. The board shall annually, in the month of July before making the levy for school purposes as provided in this act, fix the salaries to be paid to teachers for the scholastic

year, to commence on the first Monday of September ensuing.

A. MONROE,
Speaker of the House of Delegates.

D. D. JOHNSON,
President of Senate.

[Note by the Secretary of State.]

OFFICE OF SECRETARY OF STATE,
WHEELING, December 30, 1875.

The foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated, within the time prescribed by the Constitution of the State, has become a law without his approval.

CHAPTER CXVI.

AN ACT amending and re-enacting sections one and twenty-one of chapter fifty-nine of the Acts of 1866, entitled "An act to incorporate the town of Ceredo, in Wayne county."

Passed, December 30, 1875.

Be it enacted by the Legislature of West Virginia:

1. That sections one and twenty-one of chapter fifty-nine of the acts of 1866, be amended and re-enacted so ^{Acts 1866, amended.} as to read as follows:

"The corporate limits and boundaries of the town of Ceredo, Wayne county, West Virginia, shall be as follows: Beginning on the Ohio river on a corner between the lands of the Twelve Pole Mineral Railway Company and lands owned by C. B. Hoard; thence with C. B. Hoard's west line to the old military line to Twelve Pole river; thence down Twelve Pole to C. B. Hoard's east line, and with said line to the Ohio river, and down the Ohio river to the beginning."

Council authorized to grant license.

County Court not to grant license for sale of spirituous liquors, etc., within town, without certificate of council of such town consenting.

Council may require bond of person so licensed; and may revoke such license, when.

"21. Whenever anything for which a state license is required is to be done within the said town, the council may require a town license therefor, and may impose a tax thereon for the use of the town. But no license to sell strong or spirituous liquors, or wine, beer, ale, porter, or drinks of like nature within the said town, or within one mile of the corporate limits thereof, shall be granted by the county court of Wayne county, unless the person applying therefor shall produce to said court the certificate of the council of said town of its consent to the granting of such license. The council may require from the person so licensed a bond, with sureties, payable to said town, in such penalty and with such conditions as it may think proper, and may revoke such license at any time if the conditions of said bond be broken"

A. MONROE,
Speaker of the House of Delegates.
D. D. JOHNSON,
President of the Senate.

[Note by the Secretary of State.]

OFFICE OF SECRETARY OF STATE,
WHEELING, December 30, 1875.

The foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the state, has become a law without his approval.

CHAPTER CXVII.

AN ACT to protect birds and game.

Passed, December 30, 1875.

Be it enacted by the Legislature of West Virginia :

Birds; the killing, injuring, catching, etc., of certain at any time, made unlawful.

1. That it shall be unlawful for any person at any time to catch, kill or injure, or to pursue with such intent, any sparrow, robin, blue bird, martin, thrush, mocking bird,

swallow, oriole, red bird, grosbeak, cat bird, chewit, or ground robin, pewee, or phoebe bird, wren, cuckoo, indigo bird, nut-hatch creeper, yellow or fringilla yellow hammer, or flicker, warbler, or finch, maris, red start, dummock, nightingale, cross-bill, or corn-crane, hungarian robin, great tit or blue tit.

2. It shall be unlawful for any person in any place to catch, kill or injure, or to pursue with such intent, any quail, or virginia partridge, between the first day of February, and the fifteenth of October, inclusive; or any ruffed grouse, pheasant, pinnated grouse, or prairie chicken, blue winged teal, mallard, or wood duck, or other wild duck, wild goose, or brant at any time between the first day of February and the first day September. And it shall be unlawful for any person, at any time, to catch by snare, net or trap, any quail or virginia partridge. And it shall be unlawful for any person, by the use of any swivel or pivot gun, or any other than the common shoulder gun, or by the aid of any push boat, or sneak boat, used for carrying such gun, to catch, kill or wound or destroy or to pursue after with such intent, upon any of the waters, bays, rivers, marshes, mud flats, or any cover to which wild fowl resort within the State of West Virginia, any wild goose, wild duck, or brant.

3. And it shall be unlawful for any person to destroy or disturb the eggs of any of the birds protected by this act; and any person offending against any of the foregoing provisions of this act, shall be fined in any sum not less than two dollars nor more than twenty-five dollars for each offense on conviction in the proper court or be imprisoned in the county jail not more than twenty days or both at the discretion of the court, and pay the costs of prosecution.

4. No person when shooting on the land of another shall discharge any fire arms on any lawn, pleasure ground, orchard, or other ground which is directly appurtenant to or within gun shot of an occupied dwelling house. The penalty for violating this section shall be a fine not less than five nor more than twenty dollars, or be imprisoned not more than twenty days or both at the

Game;
unlawful to
catch, kill or
injure. or
pursue certain
when.

Destruction,
etc., of eggs of
birds made
unlawful.

Penalty for
offending
against forego-
ing provisions.

Discharging fire
arms on any
lawn, orchard,
etc., near an
occupied
dwelling, pro-
hibited.

Penalty for.

discretion of the court, and pay the costs of prosecution.

The purchasing
or offering for
sale any game
or birds made
unlawful;
when.

5. It shall be unlawful for any person to purchase or offer for sale any of the birds or game mentioned in this act caught or killed during the time, when such catching, killing, or destroying is made unlawful hereby. Any person offending against the provisions of this section, shall be liable to the same penalty as is provided in this act for catching, killing or destroying such birds or game.

Penalty.

What deemed
prima facie
evidence of the
unlawful killing
of game, etc.

6. That the exposure for sale of any of the birds of game mentioned in this act during the time when the killing thereof is made unlawful shall be *prima facie* evidence that the same was killed or caught unlawfully within the state of West Virginia.

Prosecution;
to be in the
name of the
State of West
Virginia, and
before any
justice, etc.
Fines collected;
how disposed
of.

7. All prosecutions under this act shall be in the name of the state of West Virginia, before any justice of the peace, mayor or other proper officer having jurisdiction, and all fines imposed or collected under this act, shall be paid into the county treasury for the use of common schools.

A. MONROE,

Speaker of the House of Delegates.

D. D. JOHNSON,

President of Senate.

[Note by Secretary of State.]

OFFICE OF SECRETARY OF STATE,

WHEELING, December 30, 1875.

The foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated, within the time prescribed by the constitution of the state, has become a law without his approval.

CHAPTER CXVIII.

AN ACT providing compensation to J. H. Lockwood and George Edwards for land conveyed by them to the State, to extend Market and C. streets in the town of Moundsville to the penitentiary grounds. •

Passed, December 30, 1875.

Be it enacted by the Legislature of West Virginia:

1. That four hundred dollars be and the same is hereby appropriated to pay J. H. Lockwood for certain lands conveyed by him to the state for the purpose of extending C. street from the town of Moundsville to the penitentiary grounds.

Appropriation
to pay J. H.
Lockwood for
certain land.

2. That one hundred and six and two-third dollars be and the same is hereby appropriated to pay George Edwards for certain lands conveyed by him to the state for the purpose of extending Market street from the town of Moundsville to the penitentiary grounds.

Appropriation
to pay George
Edwards for
certain lands.

3. That the auditor of state is required to draw his warrant upon the treasurer for the sums appropriated in favor of the parties named herein.

Auditor author-
ized to pay.

A. MONROE,
Speaker of the House of Delegates.
D. D. JOHNSON,
President of Senate.

[Note by the Secretary of State.]

OFFICE OF SECRETARY OF STATE.

WHEELING, December 30, 1875.

The foregoing act having been presented to the governor for his approval, and not having been returned by him to the house of the legislature in which it originated, within the time prescribed by the constitution of the state, has become a law without his approval.

CHAPTER CXIX.

AN ACT regulating a sale of the property of joint stock companies under a deed of trust or decree of court, and making the purchaser a corporation.

Passed, December 30, 1875.

Be it enacted by the Legislature of West Virginia:

1. If a sale be made under a deed of trust or mort-

Sale and conveyance of property of joint stock companies under deed of trust or mortgage; what passes to purchaser.

When company dissolved ipso facto.

Purchaser becomes a corporation; by what name.

What corporation, created by such sale and conveyance, succeed to.

Exception as to the debts due the first company, etc.

Interest of purchaser to be personal estate; number of shares to be created.

Such shares to be on footing of shares in joint stock companies; except as to first meeting of stockholders.

Debts due to, etc., the first company subject to provisions of section 59 of chapter 53 of Code, etc.

engage, executed by a company on all its works and property, and there be a conveyance pursuant thereto, such sale and conveyance shall pass to the purchaser at the sale, not only the works and property of the company as they were at the time of making the deed of trust or mortgage, but any works which the company may, after that time and before the sale, have constructed, and all other property of which it may be possessed at the time of the sale, other than debts due to it. Upon such conveyance to the purchaser, the said company shall ipso facto be dissolved. And the said purchaser shall forthwith be a corporation, by any name which may be set forth in the said conveyance, or in any writing signed by him and recorded in the court, in which the conveyance shall be recorded.

2. The corporation created by or in consequence of such sale and conveyance shall succeed to all such franchises, rights and privileges, and perform all such duties, as would have been had or should have been performed, by the first company, but for such sale and conveyance; save only that the corporation so created shall not be entitled to the debts due, to the said first company, which may not be expressly assumed, in the contract of purchase, and that the whole profits of the business done by such corporation shall belong to the said purchaser, and his assigns. His interest in the corporation shall be personal estate, and he or his assigns may create so many shares of stock therein as he or they may think proper, not exceeding together the amount of stock in the first company at the time of the sale, and assign the same in a book to be kept for that purpose. The said shares shall thereupon be on the footing of shares, in joint stock companies generally, except only that the first meeting of the stockholders shall be held on such day and at such place as shall be fixed by the said purchaser, of which notice shall be published for two weeks in a newspaper.

3. The debts due to, or by, and claims against the said first company mentioned in the preceding section, shall be subject to the provisions contained in the fifty-ninth

section of the fifty-third chapter of the code, and the said company, notwithstanding its dissolution aforesaid, shall as to the said debts and claims have the power and perform the duties prescribed by that section.

4. A sale of the works and property of such company made under a decree of a court having competent jurisdiction shall be held by the purchaser thereof subject to all the provisions of the three preceding sections so far as the same may be applicable to such sale. Sale of works and property of joint stock company, under decree of court; how held by purchaser.

5. The first three sections of this act shall only apply in cases where the stockholders in the first company shall be entitled to an interest under such purchase. In what cases first three sections of act to apply.

A. MONROE,
Speaker of the House of Delegates.
D. D. JOHNSON,
President of Senate.

[Note by the Secretary of State.]

OFFICE OF SECRETARY OF STATE,
WHEELING, December 30, 1875.

The foregoing act having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated, within the time prescribed by the Constitution of the State, has become a law without his approval.

CHAPTER CXX.

AN ACT to establish a court of limited jurisdiction in the town of Grafton.

Passed, December 30, 1875.

Be it enacted by the Legislature of West Virginia :

1. There shall be established a court of limited jurisdiction within the town of Grafton, to be called the municipal court of Grafton. Court of limited jurisdiction established in town of Grafton.

Judges of court
when and how
elected; his
term of office.

Election; how
ordered; how
conducted and
returns made.

Result, how
certified.

Governor to
commission per-
son elected.

Vacancy how
filled.

Regulations
governing
elections;
except as to the
time.

Compensation of
judge; how
fixed and paid.
When ordi-
nance increas-
ing or diminish-
ing same take
effect.

Removal from
office; how and
when.
Must have
notice, etc.

Court to have
concurrent
jurisdiction
with mayor;
in what cases.

Proceedings in
such cases.

2. On the fourth Monday in March, 1876, and in every fourth year thereafter, there shall be elected by the voters of the town, a judge of the said court, who shall be a resident of Taylor county, whose term of office shall begin on the first day of April next after his election, and he shall continue in office until his successor be elected or appointed and qualified; the election to be ordered by the council, and conducted and returns made in same manner and by the same officers conducting other elections in said town for corporation officers; and the result of said election shall be certified by the clerk of said court of limited jurisdiction to the governor within ten days thereafter, and the governor shall issue a commission to the person so elected.

3. If for any cause the office be vacant during the term, such vacancy shall be filled for the unexpired portion of the term by a special election, to be held as soon as practicable, at such time as the council of the town may order.

4. The regular and special elections for the said judge, except as to the time of holding the same, shall be subject to the same regulations as the election for mayor and members of the town council.

5. During his service in office he shall receive from the treasury of the town such compensation as shall be prescribed by ordinance of the council, but after the compensation has been so prescribed, no ordinance increasing or diminishing the same shall take effect until an election to the office has intervened.

6. He may for good cause be removed from office by the council of one town, two-thirds of the members concurring in such removal; but before any order or resolution for his removal is passed, he must have reasonable notice of the causes alleged therefor, and an opportunity to be heard in person or by counsel as he may elect.

7. Where any fine, penalty, or punishment may be lawfully imposed for a violation of an ordinance of the town, the municipal court shall have concurrent jurisdiction with the mayor. The proceedings in such case shall be by summons on behalf of the town as plaintiff,

and shall conform to the regulations, so far as they are applicable, respecting civil suits and proceedings before justices. But the judge, for good cause shown, may, by endorsement on any such summons, order the defendant or defendants to be arrested and brought forthwith before him to be dealt with according to law.

Power of judge to order defendant to be arrested and brought before him, etc.

8. The said court, also, within the town shall have the same jurisdiction and powers as a justice within his county in relation to the apprehension, examination, commitment or admitting to bail of any person charged with a criminal offense, whether committed in said town or elsewhere; and in the exercise of such jurisdiction and power shall be subject to the same regulations.

Jurisdiction and powers of court as to criminal offenses.

9. For the exercise of the jurisdiction and power conferred by the last two sections, (hereinafter called the police jurisdiction of the said court,) the court shall be held at such times, and at such places in the town as to the said judge may seem convenient and proper.

Where and when judge may hold court for the exercise of the police jurisdiction of court.

10. The said court shall also have the same jurisdiction and power in civil suits and proceedings, where the amount in controversy exceeds the sum of ten dollars, exclusive of interest and costs, or the possession or title of real or personal estate is concerned, as the county court, but in the following cases only:

Jurisdiction and power of court in civil suits and proceedings; and in what cases.

I. Where the defendant or one of the defendants resides within the corporate limits of the town of Grafton.

II. Where the cause of action arose within the corporate limits of the town of Grafton.

III. Where the property, real or personal, the title or possession of which is in controversy, or some part of such property, is in the corporate limits of the town of Grafton.

IV. Where the defendant or one of the defendants being a non-resident of the state, is found in said corporate limits of the town of Grafton, or has estate or effects therein; and any demand against a resident of the county, or a corporation or firm doing business therein, or any stock or share in the capital in such corporation or firm shall be deemed effects in the county within the meaning of this clause.

Jurisdiction of court in civil suits and proceedings on behalf of the town.

11. The said court shall also have jurisdiction, without reference to the amount in controversy, of civil suits and proceedings at law instituted to recover any taxes, debt or demand alleged to be due the said town, or to recover damages for breach of the condition of any bond made payable to the town, or to recover compensation for damages alleged to be done by the defendant to any property, real or personal, belonging to the town.

Sessions for the civil jurisdiction of court; when held.

12. For the exercise of the jurisdiction and powers conferred by the last two sections, (hereinafter called the civil jurisdiction of the said court,) ten sessions per year of the said court shall be held, commencing on the first Monday of each of the months of January, February, April, May, June, July, August, October, November and December, and continuing until the court is adjourned by the judge thereof to the succeeding term. But if any such term be not commenced on the day hereby appointed, or the Tuesday or Wednesday next after the same, all suits and proceedings then pending therein shall stand continued without any special order to that effect to the succeeding term.

When suits and proceedings to stand continued

Where sessions held.

13. The said ten sessions shall be held at such place, within the town as the council may from time to time provide for the purpose. The council shall also provide an office in the town for the clerk of the said court.

Clerks office.

Rules; where held, etc.

14. Rules shall be held in the clerk's office of the said court, commencing on the second Monday of every month, and the said rules may continue for three days.

Right of trial by jury in civil suits.

15. Either party to a civil suit in said court shall be entitled under the regulations herein prescribed to trial by twelve or a less number of jurors, if demanded.

When jury must be demanded.

16. The demand must be made before the court has commenced an investigation of the merits of the case by the examination of any witness or the hearing of other evidence; and the party so demanding a jury must deposit with the clerk the sum of six dollars, or a proportional amount, according the number of jurors demanded for the purpose of paying the costs of the jury.

Party demanding, to make deposit to pay jury.

17. When the jury is to be called, the cause shall be continued until the time fixed for the return of the jury. When a jury is called, to what time cause continued.
 If neither party show a good cause for a later day, the jury shall be returned on the same day, or within the next two days. When jury to be returned, etc

18. The names of at least eighteen persons, designated by the court, shall be by the clerk written on separate pieces of paper, or ballots the same size and appearance, which shall be folded or rolled so that the names cannot be seen, and that so far as possible, one cannot be distinguished from another. The ballots so folded or rolled shall be put into a box and well shaken or mixed together. The clerk shall then, under the inspection of the court, and in the presence of the parties, their agents or attorneys, draw out one of the ballots, and if no just exception be shown by either party, shall enter the name written on such ballot on the list of jurors to be summoned; and so shall proceed till the number of names on the list amounts to the number required. And so on with each case, except that it shall not be necessary to select a different jury for each case, but the same jury, by agreement of parties, may serve on several different cases. How jury selected.
Same jury. by agreement, may serve on several different cases

19. The clerk shall then issue a venire, or summons, directed to any officer in attendance upon the court, commanding him to summon the persons therein named to appear at the time and place stated, to serve as jurors in the trial of causes before said court. Jury; how summoned.

20. The officer shall serve such venire by personal service on the jurors therein named, and return the same endorsed by him with the names of the persons so summoned, at the time and place appointed for the trial. Summons to be by personal service.

21. If a sufficient number of competent jurors be not obtained as aforesaid, the court may supply the deficiency by directing the officer to summon any of the bystanders or other persons to serve as jurors. Deficiency in persons so summoned; how supplied.

22. The clerk shall keep a list of all the qualified jurors residing in the town, from which said list shall be List of persons to be kept by clerk.

selected those whose names are put into the box as aforesaid.

Rules, regulations, etc. governing juries.

23. When not otherwise herein provided said jurors shall be governed by the same rules, regulations, exceptions, fines and penalties as jurors summoned to attend before the county court of said county.

Compensation of jurors; how paid.

24. The jurors shall each be entitled to fifty cents for each case tried by them, to be taxed as part of the costs of the suit, and to be paid to them out of the amount deposited as aforesaid.

Usages and principles of law governing court, and its officers, in the exercise of its civil jurisdiction.

25. When not herein otherwise provided, said court and its officers, in the exercise of its civil jurisdiction, shall be governed by the usages and principles of law applicable to similar cases in the county court of Taylor county; but when pursuant to the eleventh section, the said court shall have jurisdiction of any civil suit or proceeding in which the amount claimed, exclusive of interest and costs, does not exceed one hundred dollars, it may adopt the mode of proceeding prescribed for civil suits before justices.

Facts authorizing jurisdiction of court need not be set forth on the record.

26. It shall not be necessary, in any suit or proceeding in the said court, that the facts authorizing it to take jurisdiction of the case should be set forth upon the record, but jurisdiction shall be presumed unless the contrary appears by the record.

Process, executions, etc. of court in the exercise of its civil jurisdiction; how signed; directed and executed.

27. All process, executions, rules and orders of the said court in the exercise of its civil jurisdiction shall be signed by the clerk thereof, and be directed to the sheriff of the county of Taylor, and be executed in like manner and with the same effect as process issuing from the circuit court of said county. And in the execution of the process, executions, rules and orders of the said court, the officer shall have the same power and rights, be subject to the same liabilities, govern his proceedings by the same rules and principles of law, and be entitled to the same fees as though the process issued from the circuit or county court of said county.

Power and right of officer executing same.

His fees.

Process, executions, etc. of court in the exercise of its

28. All process, executions, rules and orders of the said court in the exercise of its police jurisdiction shall be signed by the judge or clerk, and be directed to the

sergeant of the town, who shall be entitled to such compensation or salary as the council of the town shall deem reasonable, and shall prescribe by ordinance, but in cases in which such sergeant acts in the capacity of a sheriff or constable, he shall be entitled to the same fees as such officer in like cases.

police jurisdiction; how signed; how directed.

Compensation of sergeant.

When entitled to same fees as sheriff.

29. The council of the town shall provide by ordinance for the election or appointment, term of office, and removal when necessary, of a clerk of the said court, who shall perform the same duties in relation to the civil jurisdiction thereof that the clerk of the circuit court by the usages and principles of law is required by law to perform for that court; and such services in relation to the police jurisdiction of the municipal court as may be directed by the judge thereof, or be prescribed by rule or order of the said court.

Clerk of court: council to provide for the election or appointment etc.

His duties.

30. For his services the clerk of said court may charge the same fees as a clerk of the county court for similar services. And such fees, in any case, shall be collected and accounted for by the sheriff of Taylor county, in like manner as fees of the clerk of the county court. The council of the town may allow the clerk of the municipal court out of the treasury of the town such further compensation, if any, as they may deem reasonable.

Fees of clerk.

How collected and accounted for.

Council may allow further compensation.

31. In the taxation of costs, the clerk shall be governed by the same rules as the clerk of the county court, except that in taxing in actions at law what are usually called attorney's fees, he shall include in the costs to the party prevailing, not less than two nor more than five dollars, as the court may prescribe.

Taxation of costs; rules governing.

Exception as to attorney's fees.

32. The clerk of the municipal court shall give bond, to be approved by the said court, or the judge thereof in the penalty of three thousand dollars, payable to the state of West Virginia, and conditioned for the faithful discharge by him of the duties of his office; which bond shall be filed in the office of the clerk of the county court of said county; and the provisions of law relating to official bonds of similar officers of similar courts shall be applicable thereto.

Bond of clerk.

Where filed, and provisions of law applicable.

Tax on suits. 33. There shall be a town tax of one dollar on every suit commenced in said court, to be paid to the clerk and by him to be paid into the town treasury, for the purpose of establishing a fund to defray the expenses of said court.

Seal of court. 34. A seal shall be provided for the said court by the council of the town, and the same may be altered or renewed as the court shall order. Full faith and credit shall be given to the records of the said court and the certificates of its judge or clerk whether the seal of the court be affixed thereto or not, in like manner and with the same effect as if the same were records of a circuit court or certificates of the judge or clerk of a circuit court similarly authenticated.

Appeals in cases within the police jurisdiction of court shall be to the circuit court; in what manner, etc. 35. In cases within the police jurisdiction of the municipal court the judgment of the said court shall be subject to appeal to the circuit court of Taylor county, in like manner and subject to the same restrictions and regulations as if it were the judgment of a justice when the amount in controversy exclusive of interest and costs exceeds the sum of twenty dollars; except that no such appeal shall lie or be granted, unless some counsel practicing in the said circuit court certify that he is satisfied there is error in law or fact in the said judgment to the prejudice of the party applying for such appeal. If the case involves the validity of an ordinance of the town or the right of the town to levy a tax, an appeal shall lie or may be granted without regard to the amount in controversy. In any case in which an appeal is taken or granted on behalf of the town no bond or security shall be required.

When such appeal not to lie or be granted. **Appeals in cases involving the validity of an ordinance, etc., of the town shall lie, etc., without regard to the amount, etc., and no bond required.** 36. In cases within the civil jurisdiction of said court, appeals, writs of error and supersedeas shall be allowed or may be obtained to the circuit court of Taylor county, in the same manner and subject to the same provisions and conditions as appeals, writs of error and supersedeas are allowed to the judgements or decisions of the county court of said county.

37. Upon every judgment of the municipal court the judgment creditor shall be entitled to all liens, executions and remedies to secure or recover the same against any person whatsoever, to which he would be entitled if it were a judgment of the circuit court of Taylor county. Judgments rendered by the municipal court may be docketed in the judgment docket kept in the clerk's office of the county court of said Taylor county in like manner and with like effect as other judgments.

Judgment creditor; what entitled to secure or recover his judgment.

Where judgments docketed.

Effect of.

38. And where not herein otherwise provided, said municipal court shall be governed by the same rules, regulations and provisions where and whenever they are applicable as the county court of Taylor county.

Rules, regulations, etc., governing municipal court.

39. Attachments may be issued by the clerk of said court under the same regulations and in the same cases as attachments are now issued by clerks of the circuit court, and served by the sheriff in the same manner and with like effect.

Attachments, how issued and served.

40. The sergeant of the said town shall attend the sittings of the said court, obey its orders and execute its process and precepts in the same manner as sheriffs and constables are required by law to do in similar cases; and for failure or neglect to perform his duties, he shall be liable to the same penalties and responsibilities as are imposed by law on sheriffs and constables for like failure of duty.

Sergeant to attend sitting of court.

His duties, etc.

Penalty for failure or neglect.

41. It shall be lawful for the council of the town of Grafton to submit to the voters of said town, at any general or special election, the question of approval or disapproval of this act. The said council shall prescribe rules and regulations concerning the election, and appoint officers to conduct the same. And if at such election it appear that a majority of the voters of the said town approve of this act it shall be effectual for all the purposes thereof, and the council shall so declare; and if such majority disapprove the same, that fact shall in like manner be declared by said council and thereafter this act shall have no effect, and no action or proceed-

Council authorized to submit to the voters the question of approval, etc., of Act: when.

Council to prescribe rules, etc., to govern election, and appoint officers etc.

Majority of voters necessary to approve and make effectual.

Duty of council.

If majority of voters disapprove, council to declare, etc.,

ings shall be had under any other provisions of this act, ^{and act to have no effect.}
unless and until the vote aforesaid be taken, and not
then until approved as aforesaid.

A. MONROE,

Speaker of the House of Delegates.

D. D. JOHNSON,

President of Senate.

[Note by the Secretary of State.]

OFFICE OF SECRETARY OF STATE,

WHEELING, December 30, 1875.

The foregoing act having been presented to the Governor for his approval, and not having been returned by him to the house of the Legislature in which it originated, within the time prescribed by the constitution of the state, has become a law without his approval.

JOINT RESOLUTIONS.

[No. 1.]

Joint Resolution appointing a joint committee to wait upon the Governor.

Resolved by the Legislature of West Virginia .

That a joint committee be appointed, consisting of two on the part of the Senate and three on the part of the House, to wait upon the Governor and inform him that the two houses are now organized and ready to receive any communication from him that he may think proper to make.

ADOPTED, January 13, 1875.

[No. 2.]

Joint Resolution to furnish members of the present, who were not members of the last Legislature, with bound copies of the journals and bills of both Houses and acts of the last Legislature.

Resolved by the Legislature of West Virginia :

That the Secretary of State furnish to each member of the Senate and House of Delegates, who were not members of the last Legislature, with a bound copy of the journals and bills of both houses, and also the acts of the session of 1872-3, and that the members of the two houses who were members of the last session are hereby authorized to receive from the Secretary of State, copies of such journals,

bills and acts, for their use during the present session, which shall be returned by them to the office of the Secretary of State after the adjournment of the Legislature.

ADOPTED, January 15, 1875.

[No. 3.]

Joint Resolution raising a Joint Committee on the part of the two Houses, to take into consideration Federal interference in the civil affairs of the State of Louisiana.

Resolved by the Legislature of West Virginia :

That so much of the Governor's Message as refers to the recent action of the Federal Executive, and the officers of the United States Army, under his orders, in the organization and proceedings of the Legislature of the State of Louisiana, be referred to a Joint Committee, consisting of two members of the Senate and three of the House, to report such action as becomes the State of West Virginia as one of the sovereign States of the Union.

ADOPTED January — 1875.

[No. 4.]

Joint Resolution protesting against Federal interference in the civil affairs of the State of Louisiana.

Resolved by the Legislature of West Virginia :

1. That we have heard with surprise and alarm of the recent invasion of the House of Representatives of our sister State of Louisiana, by an armed force of Federal soldiers, and the forcible expulsion therefrom of a portion of its members, while in the peaceable and legitimate discharge of their appropriate duties, at the request of a corrupt and usurping official calling himself Governor of the State, and we denounce and condemn such interference in the affairs and business of such legitimate assembly as a gross violation of the Constitution and laws of the United States, and an act of usurpation and tyranny unparalleled in the history of any free government, and we most emphatically denounce and condemn all and every person or

persons, regardless of their official position, who are in any way responsible for this, the last and greatest, outrage upon liberty and free government on this continent.

2. That, while we recognize the right as well as the duty of the Government of the United States, under the Constitution, to guarantee to each State of this Union a republican form of government, we deny the right of any officer or department of the government, civil or military, to interfere in the organization of the Legislature of any State, by declaring who are and who are not the legally elected members thereof, or otherwise; and that each House of such Legislature is the exclusive judge of the election, qualification and return of its own members.

3. That we tender to the people of Louisiana, and to their legally elected Representatives, our warmest sympathy in this their hour of peril, and we heartily congratulate them upon the firm, yet peaceful, manner in which they have met this tyrannical invasion of their rights.

4. That the great outrage of which we complain is not confined, in its consequences, to Louisiana, but it is a deadly and insidious blow at free government in this country, and if permitted to stand as a precedent, may be repeated as the exigencies of parties may require in any State of this Union, and even in the Congress of the United States.

5. That the State of West Virginia, through her Representatives now assembled, solemnly pretests against the Executive Department of the General Government interfering, as it has done, with the legislative action and authority of the State of Louisiana; that if such interference is tolerated and allowed to prevail, it will subvert and overthrow the sovereignty of the States as established by our fathers, and will substitute in its stead a grand consolidated National Government, ruled and regulated by the power of the sword—of all tyrannies the most absolute and detestable; destroying the rights and liberties of the people, and subjecting them to the rule and control of the worst of despotisms.

6. That a copy of the foregoing resolutions be by the Governor transmitted to each of the Governors of the States of this Union, and to each Senator and member of the House of Representatives from this State in the Congress of the United States, and that our Senators be instructed and our Representatives requested to lay the same before their respective bodies as the solemn protest of West

Virginia against the unconstitutional and tyrannical action of the Federal Executive in regard to the civil affairs of one of the sovereign States of this Union.

7. That our Senators and Representatives use their best efforts to have the troops of the United States withdrawn from the State of Louisiana.

ADOPTED, January 22, 1875.

[No. 5.]

Joint Resolution appointing a committee to inquire into the expediency of providing for a geological survey of the State.

Resolved by the Legislature of West Virginia :

That a committee of three on the part of the Senate and four on the part of the House of Delegates be appointed to inquire into the expediency of providing for a geological survey of the State.

ADOPTED, January 25, 1875.

[No. 6.]

Joint Resolution directing copies of journals, bills and other documents to be furnished to the Judges of the State.

Resolved by the Legislature of West Virginia :

That the Judges of the State be furnished with the journals, bills and other documents printed by order of the Legislature, including the journals and bills of the last session.

ADOPTED January 25, 1875.

[No. 7.]

Joint Resolution to provide for the necessary rules and regulations for the two Houses of the Legislature in the election of a Senator in Congress.

Resolved by the Legislature of West Virginia :

That a joint committee consisting of two members of the Senate

and three of the House of Delegates be appointed to report the necessary rules and regulations for the government of the two Houses of the Legislature in the election of a Senator in Congress, in pursuance of the act of Congress, approved July 25, 1866, entitled "an act to regulate the time and manner of holding elections for Senators in Congress," to succeed Hon. Arthur I. Boreman, whose term of office will expire on the fourth day of March next.

ADOPTED, January 25, 1875.

[No. 8.]

Joint Resolution authorizing the Public Printer to furnish the Legislature with advance sheets of the Auditor's Report.

Resolved by the Legislature of West Virginia :

That the Public Printer be required to furnish for the use of the Legislature, one hundred copies of the advance sheets of the Auditor's report as they are printed. Such advance sheets to be folded and stitched, and to be a part of the edition of — copies authorized by law to be printed, and not to be in addition thereto.

The said advance sheets to be delivered through the Governor as follows : Seventy to the Sergeant-at-Arms of the House, and thirty to the Sergeant-at-Arms of the Senate.

ADOPTED February 8, 1875.

[No. 9.]

Joint Resolution relating to the improvement of the Ohio river and its tributaries.

WHEREAS, The Special Committee of the Senate of the United States, on transportation routes to the seaboard ; has reported that "The improvement of the Ohio river in such a manner as to secure six feet of water at all seasons from Pittsburgh to Cairo is believed by the Committee to be one of the most important works for which the government can appropriate money," and also, "that even in its present condition it is one of the most important highways of commerce on this continent;" and

WHEREAS, The engineers of the United States have perfected a

plan by which this six feet of water at all seasons can be secured, without obstructing free navigation when nature supplies sufficient water; and the chief engineer of the United States has asked Congress for an appropriation to begin this work; therefore,

Resolved by the Legislature of West Virginia :

That our Senators are hereby instructed and our Representatives requested to use their best ability to obtain the appropriations asked by Gen. Humphreys, Engineer in Chief of the United States, for the improvement of the Ohio and its tributaries.

Resolved, That a copy of this resolution be transmitted to each of our Representatives in Congress.

ADOPTED, February 2, 1875.

[No. 10.]

Joint Resolution requesting the Superintendent of Public Printing to order by telegraph, to be shipped by express, so much paper as may be required for immediate use by the Public Printer, and providing for the payment of such express charges.

Resolved by the Legislature of West Virginia :

That the Superintendent of Public Printing, be authorized and he is hereby requested to order by telegraph to be shipped by express, so much paper as may be required for immediate use by the Public Printer. And that the express charges less the amount, which would be the cost of transportation, if sent as freight, be paid out of the Contingent Fund.

ADOPTED January 21, 1875.

[No. 11.]

Joint Resolution asking an appropriation from the Federal Government for the repair of the turnpike from Fairmont to Gauley Bridge.

WHEREAS, At the beginning of the late war there was a continuous line of turnpike road in this State, from Fairmont, in the county of Marion, to Gauley Bridge, in the county of Fayette, passing through

the counties of Marion, Harrison, Lewis, Braxton, Nicholas and Fayette, which road had been constructed by appropriations by the State, and individual subscriptions by persons along the line thereof, and was then in good condition and useful and valuable to the public; and

WHEREAS, Soon after the beginning of said war the military authorities of the United States took possession of the same and used it for the transportation of large armies and commissary and quartermaster's supplies, and so continued to use it during the continuation of the war without repair, by reason whereof the said road and many of the bridges on the line thereof went down and became unfit for public use, and has so continued and remains up to this time; and

WHEREAS, The counties that compose this State were by the proclamation of the President of the United States, issued on the 16th day of August, 1861, declared to constitute a portion of the territory of the United States loyal to the government thereof; and

WHEREAS, By reason of the ravages of war and increased taxation resulting from the formation of a new State and the changed condition of the country, the people are unable to reconstruct the improvement aforesaid; and

WHEREAS, From its territorial and geographical position, it is now one of the leading mail routes in the State, and over which a daily mail is to be carried on and after the first day of July, 1875; therefore,

Be it resolved by the Legislature of West Virginia:

That our Senators in Congress be instructed and our Representatives requested to ask the said Congress to make an appropriation not exceeding two hundred thousand dollars, to be expended in the reconstruction and repair of said road and bridges.

ADOPTED, February 13, 1875.

[No. 12.]

Joint Resolution appointing Rev. James Richards as Commissioner of Immigration abroad.

WHEREAS, a large area of the richest and most fertile portion of our State, both for agricultural and mineral purposes, still remains undeveloped for want of skilled and intelligent labor and capital, it

has been our desire to invite immigration to the State in order to promote the development of the valuable resources of such lands, and, to that end, from time to time, having appointed Commissioners of Immigration; and,

WHEREAS, having learned that the Rev. James Richards, a citizen residing in this State, contemplates visiting several of the countries of Europe during the following Spring and Summer, and is willing, while there, without charge to the State, to portray the advantages and inducements which such lands hold out to any industrious and enterprising people who will colonize upon them, and having full faith in his probity and candor, as well as confidence in his superior qualification for such a mission, and that he is entitled to the confidence and esteem of any community or people, it is therefore,

Resolved by the Legislature of West Virginia, that the Rev. James Richards shall be the accredited representative of this State abroad for the purpose indicated in the foregoing preamble.

ADOPTED February 20, 1875.

[No. 13.]

Joint Resolution providing for a continuation of the present session, and for a recess of the Legislature.

WHEREAS, The two Houses of the Legislature have a large amount of unfinished business before them that cannot be matured before the time when by constitutional limitation, the present session would expire; be it therefore,

Resolved by the Legislature of West Virginia:

Two-thirds of the members elected to each House concurring, that the present session of the Legislature, which commenced on the 13th day of January last, be and the same is hereby continued; and be it further

Resolved, That on Friday, the 26th day of February, 1875, and 12 o'clock meridian of that day, the Legislature will take a recess until 12 o'clock, M. of Wednesday the 10th of November, 1875, at which time the two Houses will re-assemble in their respective chambers at the seat of government, and continue in session not exceeding thirty days, unless a further extension should be agreed to by two-thirds of the members elected to each House.

ADOPTED, February 25, 1875.

[No. 14.]

Joint Resolution providing for the printing and distribution of the acts of the Legislature.

Resolved by the Legislature of West Virginia :

That the clerk of the House of Delegates furnish the public printer within thirty days after the recess of the Legislature, the acts passed at the present session, with side notes, and heading showing when they were passed and when to take effect, and that the public printer, as soon thereafter as practicable, print four thousand copies thereof, and deliver fifteen hundred copies to the Secretary of State and retain the residue thereof for binding with the acts to be passed, at the adjourned session. The said Secretary shall distribute the number delivered to him as follows : One copy to each Judge, president of a County Court, Justice of the Peace, State's Attorney, Clerk, Sheriff, Governor, Attorney General, Auditor, Treasurer, and Superintendent of Free Schools.

And the residue, transmit, equally to the members of the Legislature.

ADOPTED, February 26, 1875.

[No. 15.]

Joint Resolution relating to the securities upon the bonds or undertakings of State depositories.

Be it resolved by the Legislature of West Virginia :

That the Board of Public Works be and they are hereby required to take from such of the depositories or banks in this State as are mentioned in the report of the Financial committee returned to the Senate in relation to the sufficiency of the security given by such depositories or banks, as have not given ample security to indemnify the State against all loss which might be sustained by the State, in consequence of a portion of the public funds having been deposited with such depositories or banks, a new bond, with ample and undoubted security, conditioned, among other things, that the obligors in such new bond shall be jointly and severally liable, with the obligors or undertakers in the old bond or undertaking for any default of the principal in such old bond or undertaking, occurring in consequence of any portion of the public funds having been heretofore deposited

with such depositories or banks, or occurring after the approval of such new bond, and in default of such new bond being promptly given, the Governor is hereby requested to require the Auditor and Treasurer at once to remove the public funds from the depositories mentioned in the report of said finance committee whose bonds or undertakings are not regarded by said committee as sufficient to indemnify the State against all loss which might be sustained in consequence of the insufficiency of such bond or undertaking.

ADOPTED, February 26, 1875.

[16]

Joint Resolution appointing a joint committee to wait upon the Governor.

Resolved by the Legislature of West Virginia :

That a joint committee consisting of two on the part of the Senate and three on the part of the House of Delegates be appointed to wait upon the Governor and inform him that the two Houses are ready to receive any further communication he may have to make.

ADOPTED February 26, 1875.

[No. 17]

Joint Resolution raising a joint committee to wait upon the Governor.

Resolved by the Legislature of West Virginia :

That a joint committee of three on the part of the House of Delegates and two on the part of the Senate be appointed to wait on His Excellency, the Governor, and inform him that a quorum of the two Houses of the Legislature is now in session and is ready to receive any communication he may have to submit.

ADOPTED November 10, 1875.

[No. 18.]

Joint Resolution providing for the appointment of a Joint Revisory Committee.

Resolved by the Legislature of West Virginia :

That a joint committee of eight, consisting of five member of the

House and three from the Senate, be appointed to examine what acts or parts of acts of the Code of 1868, are now in conflict with the acts of 1872-3; also what acts or parts thereof are in conflict with each other of the acts of 1872-3, and report such bills as will harmonize the code and the said acts, and also recommend any further action that may be necessary to accomplish this result. The committee so appointed to be excused from other committee duty until they report.

ADOPTED, November 12, 1875.

[No. 19.]

Joint Resolution instructing our Senators and Representatives in Congress to use their influence to secure an appropriation for the improvement of the Ohio river.

Resolved by the Legislature of West Virginia :

That our Senators in Congress be instructed and our Representatives requested to use their influence to secure the necessary legislation making an appropriation for the improvement of the navigation of the Ohio river.

ADOPTED, November 16, 1875.

[No. 20.]

Joint Resolution providing for a Joint Committee to examine the Penitentiary, as provided by law.

Resolved by the Legislature of West Virginia :

That a committee of seven from the House and five from the Senate be appointed to examine, as provided by law, the condition of the Penitentiary, and report the proceedings thereunder to the Legislature.

ADOPTED, November 16, 1875.

[No. 21.]

Joint Resolution providing for the adoption of a State Flag.

Resolved by the Legislature of West Virginia :

That the Committee on Military Affairs of the House of Delegates,

and the Committee on the Militia, of the Senate, invite the presentation of designs for a State flag, to either of said committees on or before the fifth day of December, 1875.

ADOPTED by the House of Delegates, November 22, 1875.

[No. 22.]

Joint Resolution relating to the sale of leaf tobacco as effected by the provisions of the revenue law of the United States enacted June 6, 1872.

WHEREAS, The production of leaf tobacco is an industry of importance to the State of West Virginia, the soil and climate of the State being favorable thereto, and

WHEREAS, The special tax required by the revenue laws of the United States to be paid by the retail dealers in leaf tobacco is of such amount as to render the law prohibitory in its effects in this branch of trade, and more especially as the United States court have held that an occasional sale of leaf tobacco by the producer without having paid the special tax thereon is a violation of the revenue law, therefore,

Resolved by the Legislature of West Virginia :

That we regard the revenue law regulating the sale of leaf tobacco as unjust, onerous and oppressive to the people of our State in suppressing an important branch of farming and productive industry.

Resolved, That our Senators be instructed and our Representatives in Congress requested to use every exertion to secure a modification of the present revenue law of the United States so as to enable the producer of tobacco to sell his product to any person or in any quantity whatever, and that the Secretary of State be instructed to forward an official copy of these resolutions to each of our Senators and Representatives in Congress.

ADOPTED, December 2, 1875.

[No. 23.]

Joint Resolution instructing our Senators and requesting our Repre-

sentatives in Congress to use their best efforts to secure an appropriation sufficient to continue the improvement of the Monongahela river to its head.

Resolved by the Legislature of West Virginia :

1. That our Senators be instructed and our Representatives in the Congress of the United States be requested to use their best efforts to obtain an appropriation sufficient to continue the improvement of the Monongahela river to the head thereof.

2. That his Excellency, the Governor of this State, do forward to each of said Senators and Representatives a copy of these resolutions to be laid before the Senate and House of Representatives of the United States.

ADOPTED, December 6, 1875.

[No. 24.]

Joint Resolution to provide for the erection of a monument, near the junction of the Ohio and Kanawha rivers, at Point Pleasant, in Mason county, to commemorate the Battle of Point Pleasant, fought October 10, 1774.

WHEREAS, the battle of Point Pleasant fought on the 10th day of October 1774, was an event of deep and enduring interest, exhibiting in a remarkable degree the courage and patriotism of the early settlers of our country, and was followed by results of the highest importance to the peace and prosperity of the American people; and whereas it is proper that an event so distinguished in our history should be commemorated by a monument to be erected upon the spot where those gallant defenders sacrificed their lives and where their sacred remains now lie buried; and whereas, in addition to a fair and reasonable contribution that may be expected from the Congress of the United States in aid of this national and patriotic object, there are considerations of an especial character which commend this work to the favorable patronage of Virginia, West Virginia, Ohio and Kentucky, therefore

Resolved by the Legislature of West Virginia :

That a suitable monument should be erected near the junction of the Kanawha and Ohio rivers to commemorate that important historic event, in partial execution of which object, this state has already made an appropriation from her treasury.

Resolved, That the Governor of this State be requested to communicate to the Governors of the States of Virginia, Ohio and Kentucky, these resolutions, that the same may be laid before their respective legislatures.

Resolved, That should the said States determine to co-operate with this State in erecting said monument by making an appropriation in aid of the same, that the Governor be and is hereby authorized and requested to appoint three commissioners to act in conjunction with a like number to be appointed by the States of Virginia, Ohio and Kentucky, to carry into effect the object contemplated by these resolutions.

Resolved, That the Senators and Representatives of this State in Congress be and they are hereby requested to use their best endeavors to procure an appropriation from Congress for the erection of said monument.

ADOPTED, December 6, 1875.

[No. 25.]

Joint Resolution providing for an extension of the present session of the Legislature, fourteen days.

WHEREAS, there is much important legislation pending before the House of Delegates, that it will be impossible to finish within the time fixed for adjournment; and

WHEREAS, we believe the interests of the State demand an extension of this session; therefore

Resolved by the Legislature of West Virginia:

That the present session be extended fourteen days.

ADOPTED, December 7, 1875.

[No. 26.]

Joint Resolution directing the payment of certain criminal expenses out of the civil contingent fund."

WHEREAS, A notorious band of robbers entered and robbed by force and violence, in daylight, the Bank of Huntington, in the city of Huntington, county of Cabell, West Virginia, of the sum of ten

thousand two hundred and fifty dollars, on the 6th day of September last, and fled on horseback through the mountains to the State of Kentucky; and

WHEREAS, The authorities of the said city of Huntington, and county of Cabell, on account of the delay involved in communicating with the Governor of the State from that point, failed in getting a reward offered for the apprehension of the said robbers, to insure their capture, John Hooe Russell, D. W. Emmons, J. H. Poage, R. T. Oney, and H. J. Samuels, private citizens of this State, did immediately, at their own expense, institute pursuit of the said outlaws, and offer a reward for their apprehension—which prompt action of said citizens resulted in the killing of McDaniels, one of the leaders of the band, and the capture of T. J. Webb, alias Ceylon Miller, another one of the leaders—the latter of whom is now confined in the Cabell county jail awaiting trial of for the said robbery; McDaniels and Webb being the two who are charged with having entered the bank and forced the Cashier to open the vaults to them; and

WHEREAS, Their arrest and punishment was demanded for the safety and good order of society, the protection of life and property, and every consideration of public policy; and

WHEREAS, It is the duty of the State to pay the reasonable and necessary expenses of the apprehension and punishment of the violators of the laws; and

WHEREAS, It appears, by the petition of the said John Hooe Russell, D. W. Emmons, J. H. Poage, R. T. Oney and H. J. Samuels, supported by the affidavit of the said R. T. Oney, that the amount of the reward paid by the said parties, was one thousand dollars; therefore, Be it resolved by the Legislature of West Virginia:

That the Governor be directed, upon proper proof being presented, to pay out of the civil contingent fund to the said John Hooe Russell, D. W. Emmons, J. H. Poage, R. T. Oney and H. J. Samuels, the reward offered and paid by them, in accomplishing said capture, not to exceed the sum of five hundred dollars.

ADOPTED, December 7, 1875.

[No. 27.]

Joint Resloution providing for a joint committee to examine certain matters connected with the Chesapeake and Ohio Railroad Company.

Resolved by the Legislature of West Virginia:

That the message of the Governor, of December 2, 1875, with ac-

companying documents, on the subject of matters connected with the Chesapeake and Ohio Railroad Company, be referred to a joint committee, consisting of three members of the Senate, and three of the House of Delegates, with instructions to report what action, if any, should be taken thereon.

ADOPTED, December 11, 1875.

[No. 28.]

Joint Resolution Asking the aid of Congress to improve the navigation of Elk River, in the State of West Virginia.

WHEREAS, it has been recently shown that there exists on Elk River, a tributary of the Great Kanawha River, large deposits of iron ore, easily obtained, and of superior quality, which have been and are now being manufactured in considerable quantities, by the enterprise of the people of that section ; and,

WHEREAS, it has been known for years that the same region is not excelled in the quantity, quality and variety of her coal deposits and exceptionally so, in the vast quantities of timber, drained by said Elk River and its tributaries ; and,

WHEREAS, the only obstacle that remains to overcome, is the transportation to market of these products, the removal of which would rapidly develop the wealth of the State, as well as that of a large number of the good people of that region ; and,

WHEREAS, it has been shown by actual surveys and examinations, that said Elk River, is, by reason of its low grade of fall, and the absence of rapids, susceptible of such improvement, at a small cost, comparatively with the results to be obtained. Therefore,

Be it resolved by the Legislature of West Virginia :

That our Representatives in Congress be requested, and our Senators be instructed, to ask for, and procure by all proper endeavors, the passage of such laws, and the making of such appropriations by the Congress of the United States, as will effect the judicious and profitable improvement of the navigation of such Elk River.

ADOPTED, December 22, 1875.

[No. 29.]

Joint Resolution making it the duty of the Hon. H. M. Matthews, Attorney-General of the State, to enter pleas and make defence to the suits of William H. Aspinwall and others against Winchester Adkins and others; and William H. Aspinwall and others against P. G. Adkins and others, in ejectment, pending in the District Court of the United States at Charleston.

Resolved by the Legislature of West Virginia:

That it shall be the duty of the Attorney-General of the State, if in his opinion the interest of the State requires it, to put in pleas and make defence to the suits of William H. Aspinwall and others against Winchester Adkins and others, and William H. Aspinwall and others against P. G. Adkins and others, in ejectment, pending in the District Court of the United States for West Virginia, at Charleston.

[No. 30.]

Joint Resolution in regard to the boundary line between Virginia and West Virginia.

Resolved by the Legislature of West Virginia:

That his Excellency John J. Jacob, Governor, of this State, communicate to his Excellency, James L. Kemper, Governor of Virginia, that the Legislature of the State of West Virginia, will co-operate with the State of Virginia, in ascertaining and locating any disputed unsettled lines between the two States. But at this time the Legislature is not sufficiently informed as to the particular lines that are in dispute and should be run and located, and therefore respectfully request information from the authorities of Virginia on the subject.

ADOPTED, December 23, 1875.

[No. 31.]

Joint Resolution authorizing the Governor to furnish arms to certain military organizations at State institutions.

Resolved by the Legislature of West Virginia:

That His Excellency, the Governor, is hereby authorized to furnish

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arms to such military companies in this State, taught and organized at any of the State institutions, or by the commanders of companies of cadets, as in his judgment are worthy of such arms: Provided however that the commanders of such companies give bond and approved security for the safe keeping and return of such arms to the Governor, or to the Adjutant General of the State of West Virginia, when demanded by either of them for the use of the State, or when a company so armed may disband.

ADOPTED, December 23, 1875,

[32]

Joint Resolution providing for the adjournment of the legislative session sine die.

Resolved by the Legislature of West Virginia :

That when the two Houses of the Legislature adjourn to-day, this legislative session shall stand adjourned sine die.

ADOPTED, December 23, 1875.

[No. 33.]

Joint Resolution providing for a joint committee to wait on the Governor.

Resolved by the Legislature of West Virginia :

That a joint committee, consisting of two on the part of the Senate, and three on the part of the House of Delegates, be appointed to wait upon the Governor and inform him that the two Houses are ready to adjourn, and are ready to receive any further communication he may have to make.

ADOPTED, December 23, 1875.

[No. 34.]

Joint Resolution providing for an adjournment of the Legislature.

Resolved by the Legislature of West Virginia :

That the legislative sessions of both Houses of the Legislature shall at 9½ o'clock, P. M., of this day stand adjourned sine die.

ADOPTED, December 23, 1875.

CORPORATIONS.

GRAFTON BANK.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which Agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of and to be known in its dealings as "Grafton Bank," for the purpose of carrying on the business of banking by discounting promissory notes, negotiating drafts, bills of exchange, and other evidences of indebtedness, by receiving deposits, buying and selling exchange, bank notes, bullion and coin, and by loaning money on personal or other security, and generally to carry on such business as is usually carried on by banks of discount and deposit, which corporation is to expire on the first day of January, (1894) eighteen hundred and ninety-four. And for the purpose of forming said corporation, we have subscribed the sum of twenty-five thousand dollars to the capital thereof, and have paid in on the said subscriptions the sum of two thousand and five hundred dollars, which corporation is to be located at the town of Grafton, in the county of Taylor. The capital so subscribed to be divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows: that is to say,

John Doonan, of Grafton, Taylor county, West Va., 10 shares.

George W. Brown of Grafton, Taylor county, West Va., 60 shares.

Thomas E. Davis, of Grafton, Taylor county, West Va., 20 shares.

John Canning, of Grafton, Taylor county, West Va., 12 shares.
 John Adair, of Grafton, Taylor county, West Va., 10 shares.
 George Brinkman, of Grafton, Taylor county, West Va., 10 shares.
 William Jennings, of Grafton, Taylor county, West Va., 10 shares.
 John W. Hamilton, of Grafton, Taylor county, West Va., 12 shares.
 Francis M. Durbin, of Grafton, Taylor county West Va., 10 shares.
 Elizabeth Texter, of Grafton, Taylor county, West Va., 50 shares.
 James W. Bradshaw, of Grafton, Taylor county, West Va., 5 shares.
 John Bradshaw, of Grafton, Taylor county, West Va., 5 shares.
 Leroy Cofran, of Grafton, Taylor County, West Va.; 5 shares.
 John W. Mason, of Grafton, Taylor county, West Va., 5 shares.
 Leonard Mallonee, of Grafton, Taylor county, West Va., 5 shares.
 George M. Whitescarror, of Grafton, Taylor county, West Va.
 5 shares.

Patrick Jennings, of Grafton, Taylor county, West Va., 5 shares.
 Thomas Kennedy, of Grafton, Taylor county, West Va., 5 shares.
 Solomon L. Allen, of Grafton, Taylor county, West Va., 5 shares.
 John S. S. Herr, of Grafton, Taylor county, West Va., 1 share.

And we desire the privilege of increasing the said capital by additional shares from time to time to two hundred and fifty thousand dollars in all; the capital to be hereafter sold is to be divided into shares of like amount.

These articles of association are made for the purpose of enabling us to avail ourselves of the advantages of an act of the Legislature of West Virginia, entitled "An act to provide for the incorporation of banks of discounts and deposits."

Given under our hands and seals this 29th day of December, A. D. 1873.

JOHN DOONAN,	[SEAL]
GEORGE W. BROWN,	[SEAL]
THOMAS E. DAVIS,	[SEAL]
JOHN CANNING,	[SEAL]
JOHN ADAIR,	[SEAL]
GEORGE BRINKMAN,	[SEAL]
WILLIAM JENNINGS,	[SEAL]
JOHN W. HAMILTON,	[SEAL]
FRANCIS M. DURBIN,	[SEAL]
ELIZABETH TEXTER,	[SEAL]
JAMES W. BRADSHAW,	[SEAL]
JOHN BRADSHAW,	[SEAL]
LEROY COFRAN,	[SEAL]

JOHN W. MASON, [SEAL]
 LEONARD MALLONEE, [SEAL]
 JOHN M. WHITESCARBOR, [SEAL]
 PATRICK JENNINGS, [SEAL]
 THOMAS KENNEDY, [SEAL]
 SOLOMON L. ALLEN, [SEAL]
 JOHN S. S. HERB, [SEAL]

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this twentieth day of January, eighteen hundred and seventy-four.

{
 G. S.
 }

C. HEDRICK,
 Secretary of the State.

CAMPBELL'S CREEK MINING COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

"The undersigned agree to become a corporation by the name of Campbell's Creek Mining Company, for the purpose of mining for coal and carrying on the coal mining business; buying, selling, trading and transporting the same to market, &c., and for the purpose of building tram roads, cars, &c., necessary to carry on the coal mining business. Which corporation shall keep its principal office or place of business at Campbell's Creek, Kanawha county, and is to expire on the (1st) first day of January, 1894.

And for the purpose of forming said corporation we have subscribed the sum of three thousand five hundred dollars to the capital thereof, and have paid in on said subscription the sum of three hundred and fifty dollars, desire the privilege of increasing said capital by sales of additional shares from time to time to \$100,000 in all.

The capital so subscribed is divided into shares of (\$100) one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say: by

D. C. Boyce, Parkersburg, West Virginia, thirty shares;
 J. W. Coffman, Parkersburg, West Virginia, one share;
 Okey Johnson, Parkersburg, West Virginia, one share;
 W. Backus, Volcano, West Virginia, one share;
 John H. Grimm, Parkersburg, West Virginia, one share;
 R. J. A. Boreman, Parkersburg, West Virginia, one share.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 5th day of January, 1874.

D. C. BOYCE,	[SEAL.]
W. BACKUS,	[SEAL.]
OKEY JOHNSON,	[SEAL.]
JOHN W. COFFMAN,	[SEAL.]
JOHN H. GRIMM,	[SEAL.]
R. J. A. BOREMAN,	[SEAL.]

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twentieth day of January, eighteen hundred and seventy-four.

{
G. S.
}

C. HEDRICK,
 Secretary of State.

THE OAK RIDGE COAL COMPANY OF WEST VIRGINIA.

I. Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The

Oak Ridge Coal Company of West Virginia," for the purpose of mining, shipping, transporting, manufacturing and selling coal, iron, salt and other mineral products, and for producing, manufacturing and selling lumber, and for the laying out of towns and villages, purchasing real estate, and holding and disposing of the same, establishing factories, wharves, dockyards and constructing railroad tracks to and from the same; which corporation shall keep its principal office or place of business at Oak Ridge, in the county of Putnam, State of West Virginia, and is to expire on the twentieth day of November in the year one thousand eight hundred and ninety-three.

And for the purpose of forming the said corporation, we, the undersigned, have subscribed the sum of fifty thousand dollars to the capital stock thereof and have paid in on said subscription the sum of five thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to the sum of one hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows

Jesse F. Taintor, of Cleveland, Ohio, one hundred shares ;
 Emit Ruffino, of Cleveland, Ohio, one hundred shares ;
 Mary L. Taintor, of Cleveland, Ohio, one hundred shares ;
 Seymour Seymour, of Putnam county, West Virginia, one hundred shares ;
 Anna M. Taintor, of Cleveland, Ohio, one hundred shares ;

And the capital to be hereafter sold, is to be divided into shares of the like amount.

Given under our hands this twentieth day of November, A. D., one thousand eight hundred and seventy-three.

J. F. TAINTOR, [SEAL.]
 EMIT RUFFINE, [SEAL.]
 MARY L. TAINTOR, [SEAL.]
 SEYMOURSEYMOUR, [SEAL.]
 ANNA M. TAINTOR. [SEAL.]

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twentieth day of November, eighteen hundred and ninety-three, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this twenty-fourth day of January, eighteen hundred and seventy-four.

{
G. S.
}

C. HEDRICK,
Secretary of State.

MINERAL MOUNTAIN INSURANCE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

"KENEVILLE, ILLINOIS, January 1st, 1874.

The undersigned agree to become a corporation by the name of the 'Mineral Mountain Insurance Company' for the purpose of carrying on the business of Fire Marine Inland Navigation Tornado, Lightning and Plate Glass Insurance, which corporation shall keep its principal office or place of business at the city of Huntington, in the County of Cabell and State of West Virginia, and is to expire on the first day of January, A. D. (1894,) eighteen hundred and ninety-four.

And for the purpose of forming the said corporation we have subscribed the sum of one hundred thousand dollars to the capital thereof, and have paid in on said subscription, the sum of twenty-five thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time to three hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively as follows, that is to say :

No. Shares,	Name,	Residence,	Am't of Stock.
200,	W. R. Day,	Kaneville, Ills.,	\$ 20.000
200,	L. L. Day,	Kaneville, Ills.,	20.000
200,	M. L. Taylor,	Dekalb, Ills.,	20.000
200,	B. W. Ruby,	Malta, Ills.,	20.000
200,	S. M. Ruby,	Malta, Ills.,	20.000

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands and seals this 19th day of January, A. D. 1874.

W. R. DAY,
L. L. DAY,
M. L. TAYLOR,
B. W. RUBY,
S. M. RUBY,"

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this twenty-ninth day of January, eighteen hundred and seventy-four.

C. HEDRICK,
Secretary of State.

THE LANCASTER FURNACE AND MINING COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Lancaster Furnace and Mining Company" for the purpose of mining, manufacturing and smelting iron, also for mining coal, manufacturing lumber and other products of the lands and selling the same. The said Corporation shall keep its principal office or place of business at the City of Baltimore, State of Maryland, and is to expire on the first day of January, eighteen hundred and ninety-four.

And for the purpose of forming said Corporation, we have subscribed the sum of three hundred thousand dollars to the Capital thereof, and have paid in on said subscription the full sum of said three hundred thousand dollars.

The Capital so subscribed is divided into three thousand shares, of one hundred dollars each, which are held by the undersigned respectively as follows; that is to say:

CORPORATIONS.

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Louis Sinsheimer, Baltimore Maryland.....	1000
Jacob Plack, Baltimore, Maryland.....	10
Jacob Krans, Baltimore, Maryland.....	990
Joseph Ryttenberg, Baltimore, Maryland.....	990
Lewis Krans, Baltimore Maryland.....	10

3,000

Given under our hand this sixth day of February, 1874.

LOUIS SINSHEIMER,
JACOB PLACK,
JACOB KRANS,
JOSEPH RYTTEBERG,
LEWIS KRANS.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the the first day of January, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this tenth day of February, eighteen hundred and seventy-four.

C. HEDRICK,
Secretary of the State.

THE NAIL CITY BUILDING ASSOCIATION.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an Agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

"The undersigned agree to become a Corporation by the name of The Nail City Building Association, for the purpose of raising money to be loaned among its members for use in buying lots and houses, or in building or repairing houses, which Corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, State of West Virginia, and is to expire on the first day of January, eighteen hundred and eighty-four.

And for the purpose of forming the said Corporation we have subscribed the sum of ten hundred and fifty dollars to the capital thereof, and have paid in on said subscription the sum of one hundred and

five dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time to one hundred and fifty thousand dollars in all.

The capital so subscribed is divided into shares of one hundred and fifty dollars each, which are held by the undersigned respectively as follows: that is to say, by

Benjamin Fisher, one share;
John W. Boring, one share;
Oliver J. Crawford, one share;
James Launder, one share;
Charles Laffler, one share;
Eugene List, one share;
Andrew H. Britt, one share;

All residents of Ohio county aforesaid;

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 5th day of February, 1874.

BENJAMIN FISHER,
J. W. BORING,
O. J. CRAWFORD,
JAMES LAUNDER,
CHAS. LAFFLER,
A. H. BRITT,
EUGENE LIST."

Wherefore, The Corporators named in the said Agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and eighty-four, a corporation by the name and for the purpose set forth in said Agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this eleventh day of February, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

THE HUNTINGTON IRON, COAL MINING AND MANUFACTURING COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

"The undersigned agree to become a Corporation by the name of "The Huntington Iron, Coal Mining and Manufacturing Company," for the purpose of making pig iron from ores and refining the same, manufacturing iron in all its branches; holding real estate for the purpose of erecting their furnace and other necessary works for the purpose aforesaid, and holding real estate for the purpose of mining coal and iron ore; and for any and all other purposes that may be necessary for the successful management of a blast iron furnace, which corporation shall keep its office or place of business at Huntington, in the county of Cabell; and is to expire on the thirteenth day of February, eighteen hundred and ninety-four, and for the purpose of forming said corporation we have subscribed the sum of \$50,000.00 to the Capital thereof; and have paid in on said subscription the sum of \$13,000.00, and desire the privilege of increasing the said Capital by sales of additional shares from time to time to \$500,000.00 in all.

The Capital so subscribed is dividdd into shares of \$100 each; which are held by the undersigned respectively as follows; that is to say:

Joseph S. Kirk, Portsmouth, Ohio, 100 shares;
Robert T. Harvey, Huntington, W. Va., 100 shares;
J. W. Verlander, Huntington, W. Va., 100 shares;
Thomas H. Harvey, Huntington, W. Va., 100 shares;
William H. Harvey, Huntington, West Va., 100 shares;

And the Capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this the thirteenth day of February eighteen hundred and seventy-four.

J. S. KIRK,
R. T. HARVEY,
J. W. VERLANDER,
THOS. H. HARVEY,
W. H. HARVEY."

Wherefore, The Corporators named in the said agreement, and who

have signed the same, and their successors and assigns, are hereby declared to be, from this date until the thirteenth day of February, eighteen hundred and ninety-four, a Corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this sixteenth day of February eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

THE CEREDO MANUFACTURING COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

"The undersigned agree to become a corporation by the name of 'the Ceredo Manufacturing Company' for the purpose of establishing a motive power and building manufactories and tenement houses and other buildings to be used by said company, and to be leased to others or sold to others to be used for general manufacturing purposes, and the power for any other uses to which power may be properly applied and useful to the public, it being the desire and principal purpose of the undersigned to encourage manufacturing at Ceredo, which corporation shall keep its principal office or place of business at the town of Ceredo, in the county of Wayne, and is to expire on the first day February in the year 1894.

And for the purpose of forming the said corporation we have subscribed the sum of five thousand dollars to the capital thereof, and have paid in on such subscription the sum of five hundred dollars, and desire the privilege of increasing the said capital, by sales of additional shares from time to time, to five hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows :

By Charles B. Hoard, of Watertown, New York, twenty eight shares ;

By John Knowles, of Ceredo, West Virginia, one share ;

By Floyd E. Bush, of Ceredo, West Virginia, one share ;

By Pitt Hoard, of Watertown, New York, ten shares ;

And by S. Floyd Hoard, of Watertown, New York, ten shares ;

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this tenth day of February in the year 1874.

C. B. HOARD,
JOHN KNOWLES,
FLOYD E. BUSH.
PITT HOARD,
S. FLOYD HOARD."

Wherefore, the corporators named in the said agreement, and who have signed the same and their successors and assigns, are hereby declared to be, from this date until the first day of February, eighteen hundred and ninety four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this Seventeenth day of February, eighteen hundred and seventy-four.

C. HEDRICK,
Secretary of the State.

THE CABIN CREEK COAL COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Cabin Creek Coal Company," for the purpose of mining coal, iron, salt and other minerals, and of selling the same, and of engaging in the business of manufacturing iron, salt, lumber and other commodities, and shipping and selling the same, which corporation shall keep its principal office or place of business at Trenton, in the county of Mercer and State of New Jersey, and is to expire on the 19th day of February, 1894.

And for the purpose of forming the said corporation we have subscribed the sum of ten thousand dollars, and have paid in on such subscriptions the sum of one thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time to one million dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows:

Pliny Fisk, of Trenton, New Jersey, forty-five shares;
Jed Hotchkiss, of Staunton, Virginia, forty-five shares;
John P. Hale, of Charleston, West Virginia, six shares;
William A. Quarrier, of Charleston, West Virginia, two shares;
Wm. H. Hogeman, of Charleston, West Virginia, two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 20th of February, 1874.

PLINY FISK,
JED HOTCHKISS,
J. P. HALE,
WM. A. QUARRIER.
WM. H. HOGEMAN.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the nineteenth day of February, eighteen hundred and ninety four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this twenty-third day of February, eighteen hundred and seventy-four.

C. HEDRICK,
Secretary of State.

THE RICHEY COAL COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an Agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which Agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Richey Coal Company," for the purpose of mining coal, iron,

salt and other minerals and of selling the same, and of engaging in **the** business of manufacturing iron, salt, lumber and other commodities, and shipping and selling the same, which corporation shall keep **its** principal office or place of business at Trenton, in the county of **Mercer** and State of New Jersey, and is to expire on the 19th day of **February**, 1894.

And, for the purpose of forming the said Corporation, we have **subscribed** the sum of ten thousand dollars; and have paid in on **such** subscription the sum of one thousand dollars and desire the **privilege** of increasing the said capital by sales of additional shares, **from** time to time, to one million dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each which are held by the undersigned respectively as follows:

Pliny Fisk, of Ironton, New Jersey, forty shares;
 Jed Hotchkiss, of Staunton, Virginia, forty shares;
 John P. Hale, of Charleston, West Virginia, ten shares;
 Wm. A. Quarrier, of Charleston, West Virginia, five shares;
 Wm. H. Hogeman, of Charleston, West Virginia, five shares;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands at Charleston, West Virginia, this twentieth day of February, A. D. 1874.

PLINY FISK,
 JED HOTCHKISS,
 J. P. HALE,
 WM. H. HOGEMAN,
 WM A. QUARRIER.

Wherefore, The Corporators named in the said Agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the nineteenth day of February, eighteen hundred and ninety-four, a Corporation by the name and for the purpose set forth in said Agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this twenty-third day of February, eighteen hundred and seventy-four.

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 G. S.
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C. HEDRICK,
 Secretary of the State.

PARKERSBURG HINGE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a Corporation by the name of "Parkersburg Hinge Company," for the purpose of manufacturing iron hinges of various kinds, and other articles made wholly or partly of iron, and for the sale of the same, and to transact any and all other business necessarily connected therewith, or calculated to facilitate the same, which corporation shall keep its principal office or place of business at Parkersburg in the county of Wood, West Virginia, and is to expire on the first day of January, eighteen and ninety-four.

And for the purpose of forming the said Corporation, we have subscribed the sum of two thousand dollars to the Capital thereof, and have paid in on said subscriptions, the sum of two hundred dollars; and desire the privilege of increasing the said Capital by sales of additional shares, from time to time, to two hundred and fifty thousand dollars in all

The Capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows; that is to say:

John V. Rathbone, five shares;

W. Vrooman, one share;

William M. Clements, one share;

Samuel Newberger, one share,

W. P. Andrews, one share;

W. M. Birely, one share;

E. P. Chancellor, one share;

H. H. Moss, one share;

Andrew G. Clark, one share;

J. G. Blackford, one share;

J. J. Jackson, Jr., one share;

L. N. Logan, one share;

A. F. Lang, one share;

George Loomis, one share;

James P. Vaughn, one share;

W. N. Chancellor, J. N. Camden and W. P. Thompson, partners trading as J. N. Camden & Co., one share;

And the Capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twelfth day February, eighteen hundred and seventy-four.

JOHN V. RATHBONE,
W. VROOMAN,
W. M. CLEMENTS,
SAMUEL NEWBERGER,
W. P. ANDREWS,
W. M. BIRELY,
E. P. CHANCELLOR,
H. H. MOSS,
ANDREW G. CLARK,
J. G. BLACKFORD,
J. J. JACKSON, JR.,
L. N. LOGAN,
A. F. LANG,
GEORGE LOOMIS.
J. P. VAUGHN,
J. N. CAMDEN per W. P. THOMPSON,
W. N. CHANCELLOR per W. P. THOMPSON,
W. P. THOMPSON, composing firm of
J. N. CAMDEN & Co.

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this twenty-fifth day of February, eighteen hundred and seventy-four.

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G. S.
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C. HEDRICK,
Secretary of the State.

FISHING CREEK TIMBER AND BOOM COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "Fishing Creek Timber and Boom Company" for the purpose of manufacturing, buying and selling timber of all kinds, and also for the purpose of erecting and maintaining a boom, or booms on Big Fishing Creek in Wetzel county, which corporation shall keep its principal office and place of business at New Martinsville, in said county of Wetzel, and is to expire on the first day of January, A. D., 1890.

It is hereby understood and agreed that this corporation is organized for the purpose of complying and accepting in good faith the provisions of an act passed by the Legislature of West Virginia, the 22d day of December, A. D., one thousand eight hundred and seventy-three, entitled, "An act conferring powers upon a certain company which may be incorporated and organized for the purpose of erecting and maintaining booms on Big Fishing Creek, in Wetzel county."

And, for the purpose of forming the said corporation, the undersigned have subscribed the sum of eight hundred dollars to the capital stock thereof, and have paid in on said subscriptions the sum of eighty dollars; and desire the privilege of increasing the said capital, by sales of additional shares, from time to time, to three hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say: by

John A. Warden, of Allegheny county, Pennsylvania, one share;
Wm. Frow, of Allegheny county, Pennsylvania, one share;
Charles Lockhart, of Allegheny county, Pennsylvania, one share;
Edward Oxnard, of Allegheny county, Pennsylvania, one share;
David McGregor, of Ritchie county, West Virginia, one share;
Septimus Hall, of Wetzel county, West Virginia, one share;
L. S. Hall, of Wetzel county, West Virginia, one share;
Wm. McHall, of Wetzel county, West Virginia, one share.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this — day of February, A. D., one thousand eight hundred and seventy-four.

JOHN A. WARDEN,
WM. FREW,
CHARLES LOCKHART,
ED. OXNARD,
DAVID MCGREGOR,
SEPTIMUS HALL,
L. S. HALL,
WM. MCHALL.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twenty-sixth day of February, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

STANDARD LUBRICATING OIL WORKS OF WEST VIRGINIA.

I, Charles Hedrick, Secretary of State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Standard Lubricating Oil Works of West Virginia," for the purpose of producing, manufacturing, purchasing and selling lubricating and other oils; which corporation shall keep its principal office or place of business at Parkersburg, in the State of West Virginia, and is to expire on the fifteenth day of November, A. D., 1893.

And for the purpose of forming the said corporation we have subscribed the sum of fifty thousand dollars to the capital stock thereof, and have paid in on said subscriptions the sum of fifty thousand dollars; and desire the privilege of increasing the said capital, by sales of additional shares, from time to time, to one hundred thousand dollars in all.

The capital so subscribed is divided into two thousand shares of the par value of twenty five dollars each, which are held by the undersigned respectively as follows, viz:

Richard H. Austin, of Franklin, Pennsylvania, one hundred and seventy shares.

Charles P. Austin, of Franklin, Pennsylvania, eighty shares;

Charles Miller, of Franklin, Pennsylvania, two hundred and fifty shares;

John Coon, of Franklin, Pennsylvania, two hundred and fifty shares;

Henry B. Plumer, of Franklin, Pennsylvania, two hundred and fifty shares;

John W. Winsor, of Franklin, Pennsylvania, three hundred and thirty-three and one-third shares;

James H. Winsor, of Titusville, Pennsylvania, three hundred and thirty-three and one-third shares;

George W. Winsor, of Petroleum Centre, Pennsylvania, three hundred and thirty-three and one-third shares.

And the capital stock to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-ninth day of January, A. D., 1874.

RICHARD H. AUSTIN,
C. P. AUSTIN,
CHAS. MILLER,
JOHN COON,
H. B. PLUMER,
JOHN W. WINSOR,
J. H. WINSOR,
GEO. W. WINSOR.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the fifteenth day of November, eighteen hundred and ninety-three, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charlestown, this twenty-sixth day of February, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

MORGANTOWN BANK.

I. Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

We the undersigned agree to associate ourselves together to become a corporation which shall be known by the name and style of the "Morgantown Bank," for the purpose of carrying on the business of banking, by discounting promissory notes, negotiating drafts, bills of exchange, and other evidences of indebtedness, by receiving deposits, buying and selling exchange bank notes, bullion or coin and by loaning money on personal or other securities.

And for the purpose of forming the said corporation we have subscribed the sum of thirty thousand dollars to the capital stock thereof, which is divided into three hundred shares of one hundred dollars each, and have paid in on said subscription the sum of forty-nine hundred and fifty dollars. Said corporation shall keep its place of business or office at Morgantown, in the county of Monongalia and State of West Virginia, and continue until the (1st) first day of January, 1894.

The names and places of residences and the number of shares of stock held by each number of the company are as follows :

John H. Hoffman, Morgantown, Monongalia County, W. Va., two hundred shares ;

Geo. B. Morris, Morgantown, Monongalia County, W. Va., twenty shares ;

Wm. Lyons, Union District, Monongalia County, W. Va., ten shares ;

Wm. M. Jones, Laurel Point, Monongalia County, W. Va., twenty shares ;

John Sutton, Cassville, Monongalia County, W. Va., ten shares ;

John H. Cole, Laurel Point, Monongalia County, W. Va., five shares ;

Rebecca Johnson, Morgantown, Monongalia County, W. Va., three shares ;

William Chesney, Cassville, Monongalia County, W. Va., five shares ;

William Price, Mooresville, Monongalia County, W. Va., ten shares ;

Lucy E. Finnell, Morgantown, Monongalia, W. Va., ten shares ;

William Bassett, Morgantown. Monongalia County, W. Va., two shares ;

Chas. W. Finnell, Sr., Morgantown, Monongalia County, W. Va., five shares ;

And we desire the privilege of increasing the said capital stock to one hundred thousand dollars by the sale of seven hundred addi-

tional shares, and we declare that these said articles are made to enable us to avail ourselves of the advantages of an act of the Legislature of West Virginia, providing for the corporation of banks of discount and deposits, passed December 26th, 1873.

Witness our hands and seals.

JOHN H. HOFFMAN,	[SEAL]
GEO. B. MORRIS,	[SEAL]
WM. DYONS,	[SEAL]
WM. M. JONES,	[SEAL]
JOHN SUTTON,	[SEAL]
JOHN H. COLE,	[SEAL]
her	
REBECCA x JOHNSON,	[SEAL]
mark	
WM. CHESNEY,	[SEAL]
WILLIAM PRICE,	[SEAL]
LUCY E. FINNELL,	[SEAL]
WM. BASNETT,	[SEAL]
CHAS. W. FINNELL, SR.	[SEAL]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this twenty-seventh day of February, eighteen hundred and seventy-four:

G. S.

C. HEDRICK.
Secretary of the State.

WESTON SALT AND MINING COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

"The undersigned agree to become a corporation by the name of the "Weston Salt and Mining Company," for the purpose of mining

for and developing salt, oil, gas and minerals in the county of Lewis, and with authority to hold a lawful quantity of real estate in fee, or for a term, for the purposes aforesaid, which corporation shall keep its principal office or place of business at Weston, in the county of Lewis, and State of West Virginia, and is to expire on the first day of March, 1894.

And for the purpose of forming said corporation, we have subscribed the sum of one hundred and thirty dollars to the capital thereof and have paid in on said subscriptions the sum of thirteen dollars; and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of ten dollars each, which is held by the undersigned, respectively, as follows, that is to say, by—

John Brannon, Weston, West Va., two shares \$20.00 ;

J. H. Clifton, Weston, West Va., two shares. \$20.00;

A. W. Woodford, Weston, West Va., two shares, \$20.00 ;

A. A. Lewis, Weston, West Va., one share, \$10.00 ;

P. Turney, Weston, West Va., two shares, \$20.00 ;

E. Ralston, Weston, West Va., two shares, \$20.00 ;

W. J. Bland, Weston, West Va., two shares, \$20.00 ;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 26th day of February, 1874.

A. W. WOODFORD.

J. H. CLIFTON,

JOHN BRANNON,

A. A. LEWIS,

P. TURNEY.

E. RALSTON,

W. J. BLAND.

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first of day March, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the City of Charleston, this fourth day of March, eighteen hundred and seventy-four.

{
G. S.
}

C. HEDRICK,
Secretary of the State.

BANK OF PRINCETON.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an Agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which Agreement is in the words and figures following:

The undersigned hereby agree to become a Corporation by the name of the "Bank of Princeton" for the purpose of carrying on the business of banking by discounting promissory notes, negotiating drafts, bills of exchange, and other evidences of indebtedness. by receiving deposits buying and selling exchange, bank notes, bullion or coin; by loaning money on personal or other security and for all usual financial business, transacted by banks, other than those of issue; which Corporation shall keep its office or principal place of business at Princeton, in the county of Mercer, West Virginia, and is to expire on the first day of January, 1894.

And for the purpose of forming said Corporation, we have subscribed the sum of twenty-five thousand dollars, to the capital thereof, and upon said subscription have paid in the sum of twenty-five hundred dollars.

The capital so subscribed is divided into shares of fifty dollars each which are held by the undersigned respectively as follows, viz:

Robert B. McNutt, 140 shares.	\$7,000 00
Harrison W. Straley, 130 shares	6,500 00
Charles D. Straley, 130 shares.....	6,500 00
David E. Johnston, 60 shares.....	3,000 00
John A. Douglass, 30 shares.....	1,500 00
Hercules Scott, 10 shares.....	500 00

All of Princeton, Mercer county West Virginia;

And we desire the privilege of increasing the said capital by sales of additional shares from time to time to two hundred thousand dollars in all.

These articles of association are made to enable us to avail ourselves of the advantages of an act entitled "An act to provide for the incorporation of banks of discount and deposit," passed December the 26th, 1873.

Given under our hands and seals the 27th day of February, 1874.

R. B. McNUTT,	[SEAL.]
HARRISON W. STRALEY,	[SEAL.]
CHARLES D. STRALEY,	[SEAL.]
DAVID E. JOHNSTON,	[SEAL.]
JOHN A. DOUGLASS,	[SEAL.]
H. SCOTT.	[SEAL.]

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said Agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this fifth day of March, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

WESTERN BARGE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

'The undersigned agree to become a corporation by the name of "Western Barge Company," for the purpose of carrying on the transportation business with barges on the Mississippi and Ohio and other western rivers, which corporation shall keep its principal office or place of business at the town of New Cumberland, Hancock county, and State of West Virginia, and is to expire on the twelfth day of February, eighteen hundred and ninety-four, (1894.)

And for the purpose of forming the said corporation we have subscribed the sum of twenty-five thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of fifteen thousand dollars; and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to fifty thousand dollars in all;

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say: by

John L. Mahan, of Hancock county, West Virginia, seventy-four shares;

John Porter, of New Cumberland, Hancock county, West Virginia, fifty-eight and one-third shares;

L. Frank Mahan, of Hancock county, West Virginia, fifty-eight and one-third shares ;

William C. Mahan, of Hancock county, West Virginia, fifty-eight and one-third shares ; and

Hull Mahan, of Hancock county, West Virginia, one share.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this twelfth day of February, eighteen hundred and seventy-four.

JOHN L. MAHAN,
JOHN PORTER,
L. F. MAHAN,
W. C. MAHAN,
S. H. MAHAN."

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twelfth day of February, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twenty-first day of March, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of State.

CUMBERLAND TOW BOAT COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name "Cumberland Tow Boat Company," for the purpose of carrying on the towing business with steamboats on the Mississippi, Ohio and other western rivers, which corporation shall keep its principal office on

place of business at the town of New Cumberland, Hancock county and State of West Virginia, and is to expire on the 12th day of February, eighteen hundred and ninety-four.

And for the purpose of forming the said corporation, we have subscribed the sum of twenty five thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of twenty thousand dollars, and desire the privilege of increasing the said capital, by sales of additional shares, from time to time, to fifty thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say : by

John L. Mahan, of Hancock county, West Virginia, seventy-four shares ;

By John Porter, of New Cumberland, Hancock county, West Virginia, fifty-eight and one-third shares ;

By L. Frank Mahan, of Hancock county, West Virginia, fifty-eight and one-third shares ;

By William C. Mahan, fifty-eight and one-third shares, the said William C. Mahan being of Hancock county, West Virginia ; and

By Hull Mahan, of Hancock county, West Virginia, one share.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this twelfth day of February, eighteen hundred and seventy-four.

JOHN L. MAHAN,
JOHN PORTER,
L. F. MAHAN,
W. C. MAHAN,
S. H. MAHAN.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twelfth day of February, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twenty-third day of March, eighteen hundred and seventy-four.

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G. S.
}

C. HEDRICK,
Secretary of the State.

POTOMAC BUILDING ASSOCIATION.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "Potomac Building Association," for the purpose of raising money and loaning the same to assist in buying lots and houses, or in building or repairing houses; which corporation shall keep its principal office or place of business at Shepherdstown, Jefferson county, West Virginia, and is to expire on the first day of April, 1884.

And for the purpose of forming the said corporation, we have subscribed the sum of \$650 to the capital thereof, and have paid in on said subscription the sum of \$65, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to \$130,000 in all.

The capital so subscribed is divided into shares of \$130 each, which are held by the undersigned, respectively, as follows, that is to say: by

Luther Smith, of Shepherdstown, West Va., one share;

John F. Welshans, of Shepherdstown, West Va., one share;

J. L. Rickard, of Shepherdstown, West Va., one share;

H. C. Martin, of Shepherdstown, West Va., one share;

George M. Beltzhover, of Shepherdstown, West Va., one share.

And the capital to be hereafter sold to be divided into shares of like amount.

Given under our hands this 23d day of March, 1874.

LUTHER SMITH,

JOHN F. WELSHANS,

J. L. RICKARD,

H. C. MARTIN,

GEO. M. BELTZHOVER.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first of day April, eighteen hundred and eighty-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this first day of April, eighteen hundred and seventy-four.

{
G. S.
}

C. HEDRICK,
Secretary of the State.

COMMERCIAL INSURANCE COMPANY OF CHARLESTON WEST VIRGINIA.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Commercial Insurance Company of Charleston, W. Va.," for the purpose of carrying on the business of Fire, Lightning, Marine and Inland Navigation Insurance, which corporation shall keep its principal office or place of business in the city of Charleston in the county of Kanawha, State of West Virginia, and is to expire on the first day of May in the year of our Lord, (1893) eighteen hundred and ninety-three.

And for the purpose of forming the said corporation we have subscribed the sum of one hundred thousand dollars to the capital thereof, and have paid in on said subscription the sum of one hundred thousand dollars and desire the privilege of increasing the said capital by sales of additional shares from time to time to five hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows:

That is to say:

C. D. Reynolds, Charleston, W. Va., one hundred shares, \$10,000.

P. H. Galligher, Charleston, W. Va., one hundred and fifty shares, \$15,000.

R. A. Coleman, Charleston, W. Va., fifty shares, \$5,000

J. D. Moore, Charleston, W. Va., one hundred and fifty shares, \$15,000.

J. H. Huling, Charleston, W. Va., one hundred and fifty shares, \$15,000.

J. W. Horner, Parkersburg, W. Va., one hundred shares, \$10,000.

George R. C. Floyd, Logan C. H., W. Va., one hundred shares, \$10,000.

John B. Floyd, Logan C. H., W. Va., one hundred shares, \$10,000.

John O. Carr, Charleston, W. Va., one hundred shares, \$10,000.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 1st day of April, A. D., 1874.

C. D. REYNOLDS,
P. H. GALLIGHER,
R. A. COLEMAN,
J. D. MOORE,
J. H. HULING,
J. W. HORNER,
G. R. C. FLOYD, By
J. W. HORNER, Att'y., in fact.
JOHN B. FLOYD, By
J. W. HORNER, Att'y., in fact.
JOHN O. CARR.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of May, eighteen hundred and ninety-three, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this second day of April, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

KANAWHA WOOLEN MILLS.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "Kanawha Woolen Mills," for the purpose of manufacturing wool into cloths, yarn and every and any other product which can be manufactured out of wool, either by itself or in connection with other material, and for the purpose of carrying on any other business which is legitimately connected with the manipulation and handling of wool, either by machinery or otherwise, which corporation shall keep its principal office or place of business at Charleston, in the county of

Kanawha, and is to expire on the twenty-fifth day of March, in the year eighteen hundred and ninety-four.

And for the purpose of forming the said corporation we have subscribed the sum of fifteen thousand one hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of five thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to fifty thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say : by

William Parsons, of Charleston, West Virginia, forty-two shares ;
J. W. M. Appleton, of Charleston, West Virginia, forty shares ;
Solomon Minsker, of Charleston, West Virginia, fifteen shares ;
Georgia Parsons, of Charleston, West Virginia, fifty shares ;
Mary R. Appleton, of Charleston, West Virginia, two shares ;
Mary E. Minsker, of Charleston, West Virginia, two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this thirtieth day of March, 1874.

WM. PARSONS.
JOHN W. M. APPLETON,
S. MINSKER,
GEORGIA PARSONS,
MARY R. APPLETON,
MARY E. MINSKER.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twenty-fifth day of March, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this tenth day of April, eighteen hundred and seventy-four.

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G. S.
}

C. HEDRICK,
Secretary of the State.

THE NAIL CITY BUILDING ASSOCIATION OF WHEELING.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Nail City Building Association of Wheeling," for the purpose of raising money to be loaned among its members for use in buying lots and houses, or in building or repairing houses, which corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, State of West Virginia, and is to expire on the first day of January, eighteen hundred and eighty-four.

And for the purpose of forming the said corporation we have subscribed the sum of fifteen hundred dollars, to the capital thereof, and have paid in on said subscription the sum of one hundred and fifty dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time to six hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred and fifty dollars each, which are held by the undersigned respectively as follows ; that is to say ; by

Benjamin Fisher, two shares ;
Eugene List, two shares ;
John W. Boring, two shares ;
Oliver J. Crawford, two shares ;
Andrew H. Britt, two shares ;
All residents of Ohio county aforesaid.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this twenty-fourth day of March eighteen hundred and seventy-four.

BENJAMIN FISHER,
EUG. LIST,
J. W. BORING,
O. J. CRAWFORD,
A. H. BRITT."

Wherefore, The Corporators named in said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen

hundred and eighty-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this fifteenth day of April, eighteen and seventy-four.

{
G. S.
}

C. HEDRICK,
Secretary of the State.

THE EAST FAIRMONT GAS, COAL AND COKE COMPANY OF WEST VIRGINIA.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The East Fairmont Gas, Coal and Coke Company of West Virginia," for the purpose of mining, shipping and selling coal and other minerals, and manufacturing, shipping and selling coke, iron and fire brick, in the county of Marion, in the State of West Virginia; which corporation shall keep its principal office in the city of Washington, in the District of Columbia, and is to expire on the 17th day of April, A. D. 1894.

And for the purpose of forming said corporation, we have subscribed the sum of fifty thousand dollars to the capital, and have paid in on said subscription the sum of five thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of five dollars each, which are held by the undersigned, respectively, as follows, that is to say,—

Nicholas Acker, three hundred shares;
E. R. Haight, two thousand shares,
C. C. Bishop, two thousand shares;
Glen W. Cooper, one thousand shares;
Hawkins Taylor, six hundred shares;
Thomas Orme, five hundred shares;

Henry M. Baker, six hundred shares ;
 Charles H. Moulton, three hundred shares ;
 Robert A. Phillips, five hundred shares, and
 John Bull, two hundred shares.

All of the city of Washington, in the District of Columbia, and George C. McKee, for two thousand shares, of Jackson, Mississippi.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this seventeenth day of April, A. D. 1874.

NICHOLAS ACKER,	300,
E. R. HAIGHT,	2,000,
GEO. C. McKEE,	2,000,
C C. BISHOP,	2,000,
GLEN. W. COOPER,	1,000,
HAWKINS, TAYLOR,	600,
THOMAS ORME,	500,
HENRY M. BAKER,	600,
CHARLES H. MOULTON,	300
ROBERT A. PHILLIPS,	500,
JOHN BULL,	200.

10,000.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the seventeenth day of April, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this twenty-second day of April, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
 Secretary of the State.

THE HOMESTEAD BUILDING ASSOCIATION.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me. which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Homestead Building Association," for the purpose of raising money to be used among the members of such corporation, in buying lots or houses, or in building and repairing houses, and for such other lawful purposes as may be carried out by homestead and building associations; which corporation shall keep its principal office or place of business at the city of Parkersburg, Wood county, State of West Virginia, and is to expire on the 22nd day of April, 1894.

And for the purpose of forming the said corporation we have subscribed the sum of one thousand dollars to the capital thereof, and have paid in on said subscription the sum of one hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time to one million dollars in all.

The capital so subscribed is divided into shares of two hundred dollars each, which are held by the undersigned (all of the city of Parkersburg aforesaid) respectively as follows, that is to say :

Ernest T. Drahosh, one share ;
M. J. Weinberg, one share ;
William H. Brown, one share ;
George Ellitson, one share ;
James R. Mehen, one share.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 22d day of April, 1874. .

GEO. ELLISTON,
WILLIAM H. BROWN,
M. J. WEINBERG,
JAMES R. MEHEN,
ERNEST T. DRAHOSH.

Wherefore, The corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the 22nd day of April, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this 25th day of April, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State

THE ELK RIVER IRON AND COAL COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Elk River Iron and Coal Company;" for the purpose of manufacturing pig iron and mining coal, iron ore, and other minerals, and for other kindred objects, which corporation shall keep its principal office or place of business at or near the mouth of Strange creek, on Elk river in the District of Birch, County of Braxton, West Virginia, and is to expire on the first day of April, A. D., eighteen hundred and ninety-four.

And for the purpose of forming said corporation we have subscribed the sum of twenty thousand dollars to the capital thereof, and have paid in on said subscription more than the sum of three thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of five hundred dollars each, which are held by the undersigned respectively as follows; that is to say :

By James M. Kinkaid, Troy, Miami county, Ohio, 20 shares ;
By Jesse S. Savage, Jackson, Jackson county, Ohio, 5 shares ;
By Benjamin F. Smith, Jackson, Jackson county, Ohio, 4 shares ;
By William A. Savage, Jackson, Jackson, county. Ohio, 4 shares ;
By Arthur B. Monahan, Jackson, Jackson, county, Ohio, 7 shares ;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twentieth day of April, A. D., eighteen hundred and seventy-four.

J. M. KINKAID.
JESSE S. SAVAGE,
B. F. SMITH,
W. A. SAVAGE,
ARTHUR B. MONAHAN.

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of April, eighteen

hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this twenty-fifth day of April eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

MASONIC HALL ASSOCIATION OF WESTON.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of the "Masonic Hall Association of Weston," for the purpose of purchasing a lot in the town of Weston, West Virginia, and erecting thereon a brick building for the use of the order of Ancient Free and Accepted Masons, and for use as a store house, or for such other purposes as said association may direct, which corporation shall keep its principal office or place of business at Weston, in the county of Lewis, West Virginia, and is to expire on the twenty-seventh day of April, 1894.

And for the purpose of forming said corporation we have subscribed the sum of two hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions, the sum of twenty-five dollars, and desire the privilege of increasing the said capital, by sales of additional shares, from time to time, to six thousand dollars in all.

The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say : by

G. W. Ross and J. G. Vandervost, partners doing business in the name of Ross & Vandervost, Weston, Lewis county, West Virginia, one share ;

E. Ralston, of Weston, Lewis county, West Virginia, one share ;

F. M. Chalfant, of Weston, Lewis county, West Virginia, one share ;

W. H. Aspinwall, of Weston, Lewis county, West Virginia, one share ;

A. W. Woodford, of Weston, Lewis county, West Virginia, one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-seventh day of April, 1874.

ROSS & VANDERVOST,
A. W. WOODFORD,
E. RALSTON,
F. M. CHALFANT,
W. H. ASPINWALL.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twenty-seventh day of April, eighteen hundred and ninety four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this first day of May, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

BANK OF BARBOURSVILLE.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned hereby agree to become a corporation by the name of the "Bank of Barboursville," for the purpose of carrying on the business of banking by discounting promissory notes, negotiating drafts, bills of exchange and other evidences of indebtedness, by recovering deposits, buying and selling exchange, bank notes, bullion or coin, by loaning money on personal or other security and for all the usual financial business transacted by banks other than those of issue;

which corporation shall keep its office or principal place of business at Barboursville, in the county of Cabell, West Virginia, and is to expire on the first day of January, 1894.

And for the purpose of forming said corporation we have subscribed the sum of twenty-five thousand dollars to the capital stock thereof, and upon said subscription have paid in the sum of twenty-five hundred dollars.

The capital so subscribed is divided into shares of fifty dollars each which are held by the undersigned respectively as follows, viz :

Joseph S. Miller, of Barboursville. West Va., 331 shares.	\$16,550 00
C. H. Miller, of Barboursville, West Va., 166 shares.....	8,300 00
J. W. Miller, of Barboursville. West Va., 1 share.....	50 00
George F. Miller, of Barboursville, West Va., 1 share.....	50 00
T. H. B. Thornburg, of Barboursville, West Va. 1 share.	50 00

And we desire the privilege of increasing the said capital by sales of additional shares from time to time to two hundred thousand dollars in all; these articles of association are made to enable us to avail ourselves of an act, entitled, "an act to provide for the incorporation of banks of discount and deposit, passed December 26, 1873.

Given under our hands and seals this 11th day of May, 1874.

JOS. S. MILLER,	[SEAL.]
C. H. MILLER,	[SEAL.]
J. W. MILLER,	[SEAL.]
GEO. F. MILLER, JR.,	[SEAL.]
T. H. B. THORNBURG,	[SEAL.]

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this twelfth day of May, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

THE WHEELING BUTCHERS ASSOCIATION.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an Agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which Agreement is in the words and figures following :

We the undersigned agree to become a Corporation by the name of "The Wheeling Butchers Association" for the purpose of dealing in Hides and Tallow ; which said Corporation is to have its principal office and place of business in the City of Wheeling, in Ohio county, and is to expire on the sixth day of December, 1893.

And for the purpose of forming the said Corporation we have subscribed the sum of ten hundred (\$1,000) dollars to the capital thereof and have paid in on the said subscription the sum of one hundred dollars and desire the privilege of increasing the said capital, by sale of additional shares, from time to time, to fifty thousand (\$50,000) dollars in all.

The capital so subscribed is divided into shares of twenty-five (\$25.00) dollars each, which are held by the undersigned, respectively as follows, that is to say:

George Bowers, residence city of Wheeling Ohio county, West Virginia, four shares ;

W. A. Schaiser, of Fulton, Ohio county, West Virginia, four shares ;

Martin Fisher, of Wheeling, Ohio County, West Virginia, four shares ;

Frederick Weymar, of Fulton, Ohio county, West Virginia, four shares ;

Christian Richard, of Wheeling, Ohio county, West Virginia, four shares ;

Henry Roth, of Fulton, Ohio county, West Virginia, four shares ;

George Zoeckler, of Fulton, Ohio county, West Virginia, four shares ;

Joseph Reger, of Bridgeport, and State of Ohio, four shares ;

William Burkle, of Bridgeport and State of Ohio, four shares ;

Charles Meyer, of Bridgeport, and State of Ohio, four shares ;

And the capital to be hereafter sold is to be divided into like shares of the like amount.

Given under our hands this sixth day of December, 1873.

GEORGE BOWERS,
MARTIN FISHER,
JOSEPH REGER,
WILLIAM BURKLE,
CHARLES MEYERS,
GEORGE ZOECKLER,
W. ALBERT SCHAISER,
FREDERICK WEIMER,
CHRISTIAN RICHARD.
HENRY ROTH.

Wherefore, The Corporators named in the said Agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the sixth day of December, eighteen hundred and ninety three, a corporation by the name and for the purpose set forth in said Agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this fourteenth day of May eighteen hundred and seventy-four.

G. S.

C. HEDRICK.

Secretary of the State.

GRAFTON MUTUAL BUILDING ASSOCIATION.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

"The undersigned agree to become a corporation by the name of Grafton Mutual Building Association, for the purpose of raising money to be loaned among its members, to purchase lands and houses and for the purpose of building and repairing the same; which corporation shall keep its principal office or place of business at Grafton, in Taylor county, and is to expire on the 25th day of May, 1894.

And for the purpose of forming the said corporation, we have subscribed the sum of one thousand two hundred and fifty dollars to the capital thereof, and have paid in on said subscription the sum of one

hundred and twenty-five dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to five hundred thousand dollars in all.

The capital so subscribed is divided into shares of two hundred and fifty dollars each, which are held by the undersigned respectively as follows, that is to say:

One share by George W. Williams, of Grafton, West Virginia ;

One share by Aaron T. Cline, of Grafton, West Virginia ;

One share by John Doonan, of Grafton, West Virginia ;

One share by William H. Lookabill, of Grafton, West Virginia ;

One share by John Jordan, of Grafton, West Virginia.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-fifth day of May, 1874.

GEORGE W. WILLIAMS,

AARON T. CLINE,

JOHN DOONAN,

WM. H. LOOKABILL,

JOHN JORDAN.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twenty-fifth day of May, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twenty-ninth day of May, eighteen hundred and seventy-four.

{
G. S.
}

C. HEDRICK,
Secretary of the State.

THE EXCHANGE BANK OF WHEELING.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of The Exchange Bank of Wheeling, for the purpose of carrying on the business of banking in all its various branches, buying and selling gold and silver, United States bonds, bills of exchange, commercial paper, and other evidences of debt, loaning money on real or personal security, receiving money upon transient or special deposits, to issue certificates of loans and deposits for money deposited, and to pay interest upon the same, and generally to carry on such business as is usually carried on by a bank of discount and deposit, which corporation shall have its principal office or place of business at the City of Wheeling, Ohio county, State of West Virginia, and is to expire on the tenth day of June, eighteen hundred and ninety-four.

And for the purpose of forming the said corporation we have subscribed the sum of twenty-five thousand dollars (\$25,000) to the capital thereof, and have paid in on the said subscription the sum of twenty-five hundred dollars, (\$25,000,) and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to two hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows; that is to say; by

James N. Vance, of Wheeling, W. Va., fifty shares;
 Lewis S. Delaplain, of Wheeling, W. Va., fifty shares;
 Andrew Wilson, of Wheeling, W. Va., fifty shares;
 A. Wilson Kelley, of Wheeling, W. Va., fifty shares;
 Wilson Bailey, of Wheeling, W. Va., fifty shares;

And the capital to be hereafter sold is to be divided into shares of the like amount. The above articles of association and agreement are made and entered into, to enable us to avail ourselves of the advantages of chapter 215, of the Acts of the Legislature of West Virginia of 1872-3.

Given under our hands and seals this twelfth day of June, eighteen hundred and seventy-four.

J. N. VANCE,	[SEAL.]
LEWIS S. DELAPLAIN,	[SEAL.]
A. WILSON,	[SEAL.]
A. W. KELLEY,	[SEAL.]
WILLIAM BAILEY,	[SEAL.]

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby de-

clared to be, from this date until the tenth day of June, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement,

Given under my hand and the Great Seal of the said State, at the City of Charleston, this sixteenth day of June eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

THE KANAWHA SAW AND PLANING MILLS COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Kanawha Saw and Planing Mills Company," for the purpose of carrying on the Saw and Planing Mill business, and the general manufacture of lumber and also building houses, taking contracts for construction of buildings, and dealing in building materials, which corporation shall keep its principal office or place of business at West Charleston, Kanawha County, W. Va., and is to expire on the tenth day of June, A. D., 1894.

And for the purpose of forming said corporation we have subscribed the sum of one hundred dollars to the capital thereof, and have paid in on said subscription the sum of ten dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of (\$20.00) twenty dollars each, which are held by the undersigned respectively as follows, that is to say; by

J. Brisben Walker, West Charleston, W. Va., one share, \$20.00.

Geo. B. Bates, West Charleston, W. Va., one share, \$20.00.

A. J. Light, West Charleston, W. Va., one share, \$20.00.

F. Stark, West Charleston, W. Va., one share, \$20.00.

P. H. Gallagher, West Charleston, W. Va., one share \$20.00.

And the capital hereafter sold is to be divided into shares of the like amount.

Given under our hand this tenth day of June, 1874.

J. BRISBEN WALKER,
GEORGE B. BATES,
A. J. LIGHT,
F. STARK,
P. H. GALLIGHER.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the tenth day of June, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this nineteenth day of June, eighteen hundred and seventy four:

G. S.

C. HEDRICK,
Secretary of the State.

THE SWIFT IRON AND MANUFACTURING COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Swift Iron and Manufacturing Company," for the purpose of manufacturing iron in all its various branches, holding real estate, for the purpose of erecting suitable works and furnaces therefor, and for mining ores, coal and limestone, to be used in the various departments of the aforesaid works and furnaces, in manufacturing iron; which corporation shall keep its principal office or place of doing business, at the city of Cincinnati, in the county of Hamilton, in the State of Ohio, and is to expire on the first day of June, one thousand eight hundred and ninety-four.

And for the purpose of forming the said corporation we have subscribed the sum of six hundred thousand and two hundred dollars (\$600,200,) to the capital thereof and have paid on said subscriptions

the sum of four hundred thousand dollars and desire the privilege of increasing the said capital by sales of additional shares from time to time to one million dollars (\$1000.000) in all.

The capital so subscribed is divided into shares of one hundred (\$100) dollars each, which are held by the undersigned respectively as follows, that is to say : by

Alexander Swift, of Cincinnati, O., two thousand shares ;
 George E. Clymer, of Cincinnati, O., two thousand shares.
 Joseph S. Kirk, of Huntington, W. Va., two thousand shares.
 Wm. A. Quarrier, of Charleston, W. Va., one share.
 J. Brisben Walker, of Charleston, W. Va., one share.

And the capital hereafter sold is to be divided into shares of like amount.

Given under our hands and seals this eighth day of June, A. D., 1874.

ALX. SWIFT,	[SEAL.]
GEO. E. CLYMER,	[SEAL.]
J. S. KIRK,	[SEAL.]
WM. A. QUARRIER,	[SEAL.]
J. BRISBEN WALKER,	[SEAL.]

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of June, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this second day of July, eighteen hundred and seventy-four.

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G. S.
}

C. HEDRICK,
Secretary of the State.

THE UNITED STATES BUILDING, LAND AND LOAN ASSOCIATION OF WHEELING, W. VA.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The United States Building, Land and Loan Association of Wheeling, W. Va.," for the purpose of raising money to be loaned among the members of such corporation for use in buying lots or houses, or in building or repairing houses; which corporation shall keep its principal office or place of business in Wheeling in, the county of Ohio and State of West Virginia, and is to expire on the 9th day of June, 1894.

And for the purpose of forming the said corporation we have subscribed the sum of eighteen hundred dollars to the capital thereof, and have paid in on said subscription the sum of one hundred and eighty dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to one million dollars in all.

The capital so subscribed is divided into shares of one hundred and fifty dollars each, which are held by the undersigned respectively as follows, that as to say: by

A. G. Robinson, one share;
 Chas. H. Berry, one share;
 H. B. Wheat, one share;
 John S. Trimble, one share;
 Isaiah Warren, one share;
 G. A. Beall, one share;
 Chas. W. Conner, one share;
 R. J. Smyth, one share;
 W. F. Stifel, one share.
 R. G. Jordon, one share;
 S. P. Hildreth, one share;
 J. R. McCortney, one share.

All of the city of Wheeling, W. Va.

And the capital hereafter to be sold is to be divided into shares of like amount.

Given under our hands this 9th day of June 1874.

(Signed.)

A. G. ROBINSON,	[SEAL.]
CHAS. H. BERRY,	[SEAL.]
H. B. WHEAT,	[SEAL.]
J. S. TRIMBLE,	[SEAL.]
S. P. HILDRETH,	[SEAL.]
GRAFTON A. BEALL,	[SEAL.]
CHAS. W. CONNER,	[SEAL.]
R. J. SMYTH,	[SEAL.]
WM. F. STIFEL,	[SEAL.]
R. G. JORDAN,	[SEAL.]
ISAIAH WARREN,	[SEAL.]
J. R. MCCORTNEY,	[SEAL.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the ninth day of June, eighteen hundred and ninety four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this eighth day of July, eighteen hundred and seventy-four.

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G. S.
}

C. HEDRICK,
Secretary of the State.

ST. CLOUD POWER COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

"The undersigned agree to become a corporation by the name of "St. Cloud Power Company" for the purpose of erecting and leasing manufacturing works, and for manufacturing all articles produced from wood, iron, grain or any other thing subject to manufacture, and for building wharves, transfer tracks, waterways, elevators, store houses and leasing or operating the same, and for purchasing real estate and for trade in all articles raw or manufactured and all operations pertaining or incident to the business above recited and for any other purpose or business useful to the public for which a firm or co-partnership may be lawfully formed in this State, which corporation shall keep its principal office at St. Cloud, in the county of Cabell, and is to expire on the first day of June, 1894.

And for the purpose of forming the said corporation we have subscribed the sum of 10,000 dollars to the capital thereof, and have paid in on said subscriptions to the sum of 5,000 dollars. And desire the privilege of increasing the said capital by sales of additional shares from time to time to 1,000,000 dollars.

The capital so subscribed is divided into shares of 100 dollars each, which are held by the undersigned, respectively as follows, that is to say, by

H. C. Parsons, Huntington, W. Va., 76 shares.

F. P. Huntington, Huntington, W. Va., 20 shares.

Alfred Sperry, Huntington, W. Va., 1 share.

E. E. Randall, Huntington, W. Va., 1 share.

W. S. Downer, Huntington, W. Va., 2 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this the eighth day of June 1874.

H. CHESTER PARSONS.

F. P. HUNTINGTON.

E. E. RANDALL.

W. S. DOWNER.

ALFERD SPERRY.

Wherefore, The corporations named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of June, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this twenty-eighth day of July, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

THE LEWISBURG FEMALE INSTITUTE.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Lewisburg Female Institute," for the purpose of establishing and conducting a female school of high grade, and to this end to acquire title to real estate not exceeding ten acres and erecting thereon suitable and necessary buildings for the purpose aforesaid in or near the town of Lewisburg, which corporation shall keep its principal

office or place of business at Lewisburg in the County of Greenbrier, and is to expire on the first day of August in the year two thousand.

And for the purpose of forming the said corporation we have subscribed the sum of five thousand and fifty dollars to the capital thereof, and have paid in on said subscriptions, the sum of five hundred and five dollars, and desire the privilege of increasing the said capital, by sales of additional shares from time to time to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of fifty dollars each which are held by the undersigned respectively as follows ; that is to say ; by

Samuel Price, ten shares ;
B. F. Harlow, ten shares ;
Jame Withrow, six shares ;
Johnston E. Bell, six shares ;
John Withrow, five shares ;
James N. Montgomery, five shares ;
A. C. Snyder, five shares ;
R. F. Dennis, five shares ;
J. W. Mathews, one share ;
Alex. F. Mathews, five shares ;
S. H. Austin, two shares ;
C. N. Austin, one share ;
Wm. H. Montgomery, five shares ;
Thomas Mathews, five shares ;
Austin Handley, five shares ;
John S. Johnson, four shares ;
Harvey Handley, five shares ;
M. L. Lacy, two shares ;
Richard Thomas one share ;
A. P. Sydenstricker, two shares ;
John Lipps, one share ;
Samuel S. Johnson, one share ;
W. W. Moore, one share ;
M. B. White, two shares ;
John Echols, six shares ;
All of the town of Lewisburg and vicinity.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-seventh day of July A. D. eighteen hundred and seventy-four.

SAMUEL PRICE,
B. F. HARLOW,
JAMES WITHROW,
S. S. JOHNSON,
R. F. DENNIS,
S. H. AUSTIN,
J. W. MATHEWS,
M. B. WHITE,
ALEX. F. MATHEWS,
A. P. SYDFNSTRICKER,
W. H. MONTGOMERY,
W. W. MOORE,
RICHARD THOMAS,
C. N. AUSTIN,
JOHN LIPPS,
M. L. LACY,
HARVEY HANDLEY,
JOHNSTON E. BELL,
JOHN WITHROW,
JAS. N. MONTGOMERY,
A. C. SNYDER,
JOHN J. ECHOLS,
J. S. JOHNSTON,
THOMAS MATHEWS,
AUSTIN HANDLEY.

Wherefore, The corporators named in the said agreement and who have signed the same. and their successors and assigns, are hereby declared to be, from this date until the first day of August, in the year two thousand, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this seventeenth day of August, eighteen hundred and seventy four.

G. S.

C. HEDRICK.
Secretary of the State

LA BELLE INSURANCE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "La Belle Insurance Company," for the purpose of carrying on the business of Fire, Marine, Inland Navigation, Tornado and Plate Glass Insurance, which corporation shall keep its principal office or place of business at the city of Wheeling in the county of Ohio and State of West Virginia, and is to expire on the 15th day of August, A. D., (1891,) eighteen hundred and ninety-four.

And for the purpose of forming the said corporation we have subscribed the sum of one hundred and fifty thousand dollars to the capital thereof, and have paid in on said subscription the sum of fifteen thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time to five hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, that is to say:

500 shares, W. S. Bowman, Wheeling, W. Va.,.....	\$50,000
50 shares, Thos. C. Hoover, Bellaire, Ohio.....	5,000
100 shares. Jas. Hamilton, Wheeling, W. Va.,.....	10,000
50 shares, B. A. Galligan, W. Va.,.....	5,000
250 shares, Algernon Sullivan, Bellaire, Ohio.....	25,000
500 shares, P. S. Cowen, Bellaire, Ohio.....	50,000
50 shares, D. Theobald, Jr.,.....	5,000

And the capital to be hereafter sold is to be divided into like amounts.

Given under our hands and seals this 17th day of August, A. D., 1874.

WM. S. BOWMAN,	[SEAL.]
THOS. C. HOOVER,	[SEAL.]
ALGERNON SULLIVAN,	[SEAL.]
P. S. COWEN,	[SEAL.]
D. THEOBALD, JR.,	[SEAL.]
JAS. HAMILTON,	[SEAL.]
B. A. GALLIGAN,	[SEAL.]

Wherefore, the corporators named in the said agreement, and who

have signed the same, and their successors and assigns, are hereby declared to be, from this date until the fifteenth day of August, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twenty-second day of August, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

ADAMS FIRE AND MARINE INSURANCE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Adams Fire and Marine Insurance Company," for the purpose of carrying on the business of Fire, Marine and Inland Navigation Insurance, which coporation shall keep its principal office or place of business at Parkersburg in the county of Wood, and State of West Virginia, and is to expire on the twentieth day of August, A. D., (1894.) eighteen hundred and ninety-four.

And for the purpose of forming the said corporation we have subscribed the sum of one hundred thousand dollars to the capital thereof, and have paid in on said subscription the sum of twenty thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to three hundred thousand (\$300,000) dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectviely as follows; that is to say; by

No. shares.	Name.	Residence.	Amount of stock.
500	Milton DeLano,	Parkersburg, W. Va.,	\$50,000 00
80	John R. Moore,	Indianapolis Ind.,	8,000 00
90	Wm. B. Simmons,	Chicago, Ill's.,	9,000 00
80	John Miller,	Chicago, Ill's.,	8,000 00
250	M. C. Babcock,	Parkersburg, W. Va.,	25,000 00

And the capital to be hereafter sold is to be divided into shares of like amount viz : one hundred dollars each.

Given under our hands this twentieth day of August, A. D., eighteen hundred and seventy-four.

MILTON DELANO,
JOHN R. MOORE,
WM. B. SMIMONS,
M. C. BABCOCK,
JOHN MILLER.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twentieth day of August, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twenty-sixth day of August, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

DIAMOND GLASS COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Diamond Glass Company," for the purpose of operating in and carrying on the business of manufacturing and selling all kinds of hollow glass ware, flint or white glass ware, and window glass; which corporation shall keep its principal office or place of business at Mason City, in the county of Mason, State of West Virginia, and is to expire on the first day of August, eighteen hundred and ninety-four.

And for the purpose of forming the said corporation, we have subscribed the sum of five thousand dollars to the capital thereof, and have paid in on said subscription, the sum of two thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of five hundred dollars each, which are held by the undersigned respectively as follows, that is to say : by

John Young, Mason City, W. Va., 2 shares.

Thomas Watkins, Mason City, W. Va., 2 shares.

John Eberle, Pittsburg, Pa. 2 shares.

R. L. Winkelblack Hartford City, W. Va., 1 share.

Mathias Young, Mason City, W. Va., 1 share.

Moses Morgan, Mason City, W. Va., 1 share.

J. C. Jones, Mason City, W. Va., 1 share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this thirty-first day of July, 1874.

JOHN YOUNG,
THOS. WATKINS.
JOHN EBERLE.
R. L. WINKELBLACK.
MATHIAS YOUNG.
MOSES MORGAN.
J. C. JONES.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of August, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this fifth day of September, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

HUNTINGTON ELEVATOR AND TRANSFER COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

The undersigned agree to become a corporation under and in pur-

suance of the laws of the State of West Virginia, in relation to joint-stock companies, by the name of the Huntington Elevator and Transfer Company, for the purpose of elevating and transferring grain and other property, and articles from boats, barges and vessels on the Ohio river to the river bank, or into warehouses or cars on or near the river bank, and vice versa, and warehousing, weighing and storing grain, property and other articles, and erecting necessary and suitable elevators, buildings and machinery therefor, and to charge and collect such rates and prices for elevating, transferring, warehousing, weighing and storing as the said company shall from time to time adopt—such purpose and business being useful to the public in facilitating the transfer and transportation of grain and other property passing between the Western and Eastern States; which corporation shall keep its principal office or place of business at the city of New York, in the county of New York, and State of New York, and is to expire on the third day of September, in the year one thousand eight hundred and ninety-four.

And for the purpose of forming the said corporation we have subscribed the sum of nine thousand dollars to the capital thereof, and have paid in on said subscription the sum of nine hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say : by

Alfrederick S. Hatch of New York City, N. Y., fifteen shares ;

Alexander Masterton, of Brownville, Westchester county, N. Y., ten shares ;

Harvey Fisk, of New York City, fifteen shares ;

James B. Hawes, of Tarrytown, Westchester county, N. Y., thirty shares ;

Edward H. Pardee, of New York City, twenty shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this third day of September, A. D., 1874.

AL. HATCH,
A. MASTERTON,
HARVEY FISK,
JAMES B. HAWES,
E. H. PARDEE,

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the third day of September, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this ninth day of September, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

MINERS' AND MECHANICS' INSURANCE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which Agreement is in the words and figures following:

We the the undersigned agree to become a corporation by the name of the Miners' and Mechanics' Insurance company, for the purpose of carrying on the business of fire, marine, inland, navigation and plate glass insurance, which corporation will keep its principal office or place of business at the city of Piedmont, in the county of Mineral and State of West Virginia, and is to expire on the 15th day of September, A. D. (1894) eighteen hundred and ninety-four.

And for the purpose of forming the said corporation, we have subscribed the sum of fifty thousand dollars to the capital thereof, and have paid in on the said subscription the of fifty thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to five hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, and are held by the undersigned, respectively, that is to say:

80 shares, Manning F. Murry, Stark county, Ohio,	\$8,000
50 shares, F. A. Greenamyer, Stark county, Ohio,	5,000
60 shares, Thomas Weibricht, Columbiana county, Ohio,	6,000
30 shares, Jacob Hoffmeyer, Columbiana county, Ohio,	3,000
30 shares, Thomas Fogg, Portage county, Ohio,	3,000

30 shares, John Hoeffeymman, Portage county, Ohio,	3,000
50 shares, Andrew Clapp, Summit county, Ohio,	5,000
50 shares, Peter Baylitts. Summit county, Ohio,	5,000
60 shares, A. R. Smith, Stark county, Ohio,	6,000
60 shares, Thompson J. Huges, Stark county, Ohio,	6,000

And the capital to be hereafter sold is to be divided into shares of like amounts.

Given under our hands and seals this 9th day of September, A D. 1874.

MANNING F. MURRY, [SEAL]
 F. A. GRUNAMYER, [SEAL]
 THOMAS WEIBRICHT, [SEAL]
 JACOB HOFFMYER, [SEAL]
 THOMAS FOGG, [SEAL]
 JOHN HOFFEYMMAN, [SEAL]
 ANDREW CLAPP, [SEAL]
 PETER BAYLITTS, [SEAL]
 A. R. SMITH, [SEAL]
 THOMAS J. HUGHES, [SEAL]

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the fifteenth day of September, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this twenty-third day of September, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
 Secretary of the State.

NEW HAVEN COAL AND SALT COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following.

The undersigned agree to become a corporation by the name of the New Haven Coal and Salt Company, for the purpose of mining and selling coal, also for the purpose of making, manufacturing and sell-

ing salt, bromine and any other products which may be made or manufactured from coal or from salt water and general merchandising. Which corporation shall keep its principal office or place of business at the town of New Haven in Mason county, and State of West Virginia, and is to expire on the twentieth day of August, 1894.

And for the purpose of forming said corporation we have subscribed the sum of twelve thousand five hundred dollars, (\$12,500) to the capital thereof, and have paid in on said subscription the sum of thirteen hundred dollars, (\$13,00); and desire the privilege of increasing the said capital by sales of additional shares from time to time to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars (\$100) each; which are held by the undersigned respectively, as follows, that is to say: By

Adam Letwiller, thirty shares.

Hugo Juhling, sixty shares.

Robert Embleton, twenty shares.

Carleton Young, five shares.

Lewis Roush, five shares.

And L. F. Roush, five shares.

All of whom are residents of Graham District in Mason county, and State of West Virginia, and the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this eighth day of September, 1874.

ADAM LETWILLER, 30 shares.

HUGO JUHLING, 60 shares.

ROBERT EMBLETON, 20 shares.

CARLETON YOUNG, 5 shares.

LEWIS ROUSH, 5 shares.

L. F. ROUSH, 5 shares.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twentieth day of August, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of said State, at the city of Charleston, this twenty-third day of September, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

GUYANDOTTE INSURANCE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following.

The undersigned agree to become a corporation by the name of the "Guyandotte Insurance Company," for the purpose of carrying on the business of fire marine, inland navigation and plate glass insurance; which corporation shall keep its principal office or place of business in the city of Huntington, county of Cabell, and State of West Virginia, and is to expire on the twentieth day of September, A. D., one thousand eight hundred and ninety-four.

- And for the purpose of forming the said corporation we have subscribed the sum of twenty-five thousand dollars to the capital thereof and have paid in on the said subscription the sum of twenty-five hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to two hundred and fifty thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each and are held by the undersigned respectively, that is to say:

50 shares, R. T. Harvey, Huntington, W. Va.	\$5,000
50 shares, W. H. Harvey, Huntington, W. Va.	5,000
50 shares, T. H. Harvey, Huntington, W. Va.	5,000
50 shares, W. P. Titus, Huntington, W. Va.	5,000
50 shares, W. P. Holderby, Huntington, W. Va.	5,000

And the capital to be hereafter sold is to be divided into shares of like amounts.

Given under our hands and seals this twenty-second day of September, 1874.

RO. T. HARVEY,	[SEAL.]
THOS. H. HARVEY,	[SEAL.]
W. P. HOLDERBY,	[SEAL.]
W. H. HARVEY,	[SEAL.]
W. P. TITUS,	[SEAL.]

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twentieth day of September eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this twenty-eighth day of September eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

BUFFALO MILLING COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "Buffalo Milling Company," for the purpose of manufacturing flour, meal, feed, &c., and to deal in grain and merchandise generally in connection therewith, which corporation shall keep its principal office or place of business at Buffalo, in the county of Putnam, and is to expire on the 25th day of September, 1894.

And for the purpose of forming the said corporation we have subscribed the sum of eight thousand and five hundred dollars to the capital thereof, and have paid in on said subscriptions, the sum of eight hundred and fifty dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to fifty thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say:

By William B. Wilson, Buffalo, W. Va., thirty shares;
By Lewis F. Timms, Buffalo, W. Va., twenty shares;
By Lewis A. Carr, Buffalo, W. Va., ten shares;
By Franklin E. Dryden, Buffalo, W. Va., five shares;
By John S. Young, Buffalo, W. Va., five shares;
By Isaac F. Poston, Buffalo, W. Va., ten shares;
By Elijah M. Roseberry, Buffalo, W. Va., five shares.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 25th day of September, A. D., 1874.

WILLIAM B. WILSON,
LEWIS F. TIMMS,
LEWIS A. CARR,
F. E. DRYDEN,
J. S. YOUNG,
E. M. ROSEBERRY,
J. F. POSTON.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twenty-fifth day of September, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this thirtieth day of September, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

MERCHANTS INSURANCE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Merchants Insurance Company," for the purpose of carrying on the business of Fire, Marine and Inland Navigation Insurance; which corporation shall keep its principal office or place of business at Huntington, in the county of Cabell and State of West Virginia, and is to expire on the first day of October, A. D., (1894) eighteen hundred and ninety-four.

And for the purpose of forming the said corporation we have subscribed the sum of three hundred thousand dollars to the capital thereof, and have paid in on said subscription the sum of one hundred and twenty-five thousand dollars and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to five hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say: By

No. Shares.	Names.	Residence.	Am't of Stock.
500.	John B. Smith.	New York.	\$50,000
100.	S. B. Ganigus.	Huntington.	10,000
100.	J. H. Underwood.	Huntington.	10,000
500.	Carl Petri.	Chicago.	50,000
350.	H. N. Nourse.	Chicago.	35,000
500.	Eugene Reynolds.	Chicago.	50,000
500.	Wm. L. Calvert.	Chicago.	50,000
80.	William Eaton.	Chicago.	8,000
300.	Edgar James.	Chicago.	30,000
30.	Chas. Lyon.	Chicago.	7,000
<hr/>			<hr/>
3,000.			\$300,000

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 1st day of October, A. D., 1874.

JOHN B. SMITH,
S. B. GANIGUS,
J. H. UNDERWOOD,
CARL PETRI,
H. N. NOURSE,
EUGENE REYNOLDS,
WM. L. CALVERT,
WILLIAM EATON,
EDGAR JAMES,
CHAS. LYON.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of October, eighteen hundred and ninety four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this tenth day of October, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

THE LIVINGSTONE UNIVERSITY OF AMERICA.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Livingstone University of America," for the purpose of thoroughly educating and graduating persons in the science of medicine, surgery, dentistry, law, theology, philosophy and literature, which corporation shall keep its principal office or place of business at the city of Charleston, in the county of Kanawha, State of West Virginia, and be perpetual unless legally dissolved.

And for the purpose of forming said corporation, we have subscribed the sum of ten thousand dollars, (10,000,) to the capital stock thereof, and have paid in on said subscription the sum of one thousand dollars, (\$1,000,) or ten per cent. thereof, and desire the privilege of increasing the capital by sales of additional shares from time to time, to the sum of two hundred thousand dollars, (\$200,000.)

The capital so subscribed is divided into shares of one hundred dollars each; of which are held by the undersigned, as follows, that is to say: by

John Buchanan, of Philadelphia, Pa., twenty shares;
D. Mayer, of Charleston, W. Va., twenty shares;
J. H. Brown, of Philadelphia, Pa., twenty shares;
L. M. Chapman, of New Orleans, La., twenty shares;
John C. Walworth, of Philadelphia, Pa., twenty shares.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this thirteenth day of October, in the year 1874.

JOHN BUCHANAN,
D. MAYER,
J. H. BROWN,
L. M. CHAPMAN,
J. C. WALWORTH.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be a perpetual corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this nineteenth day of October, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

SOMES REFRIGERATING COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia,, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Somes Refrigerating Company," for the purpose of constructing, cooling, ventilating, refrigerating and warming buildings and apartments, the manufacture, use and sale of coolers, refrigerators and other articles of manufacture; the making of ice, the preservation of food and other perishable substances; which corporation shall keep its principal office or place of business at Washington City, District of Columbia, and is to expire on the nineteenth day of October, eighteen hundred and ninety-four.

And for the purpose of forming the said corporation we have subscribed the sum of two hundred thousand dollars to the capital thereof, the same being the full amount of capital stock, and have paid on said subscription in full, to-wit: two hundred thousand dollars.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows: that is to say,—

Daniel E. Somes, of Washington, D. C., six hundred shares ;

Frank C. Somes, of Washington, D. C., one thousand three hundred and thirty shares ;

Henry S. Vanderbilt, of Washington, D. C., thirty shares ;

Thomas L. Tullock, of Washington, D. C., thirty shares ;

John B. Kerr, of Washington, D. C., ten shares.

Given under our hands this nineteenth day of October, eighteen hundred and seventy-four.

DANIEL E. SOMES, [SEAL]
FRANK CHAS. SOMES, [SEAL]
HENRY S. VANDERBILT, [SEAL]
THOMAS L. TULLOCK, [SEAL]
JOHN B. KERR, [SEAL]

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the nineteenth day of October, eighteen hundred and ninety-four, a Corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twenty-second day of October, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

THE KANAWHA IRON COMPANY.

I. Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a Corporation by the name of "The Kanawha Iron Company," for the purpose of carrying on the business of manufacturing iron, in any or all of its branches, mining ores, coal, limestone, and conducting such other business as may be incidental to the manufacture of iron. Which Corporation shall keep its principal office or place of business at West Charleston, Kanawha county, and is to expire on the 16th day of November, 1894;

And for the purpose of forming the said Corporation we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred dollars,

and desire the privilege of increasing the said capital by sales of additional shares, from time to time to one million dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say : by

John Brisben Walker, West Charleston, W. Va., one share ;

Samuel A. Miller, Charleston, W. Va., one share ;

Wm. A. Quarrier, Charleston, W. Va., one share ;

John W. M. Appleton, Charleston, W. Va., one share ;

P. H. Galligher, Charleston, W. Va., one share ;

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands, this 16th day of November, 1874.

J. BRISBEN WALKER,
S. A. MILLER,
WM. A. QUARRIER,
JOHN W. M. APPLETON,
P. H. GALLIGHER.

Wherefore, The Corporators named in the said Agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the sixteenth day of November, eighteen hundred and ninety-four, a Corporation by the name and for the purpose set forth in said Agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this seventeenth day of November, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

BRUNSWICK FIRE AND MARINE INSURANCE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an Agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which Agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Brunswick Fire and Marine Insurance Company," of Wheeling, West Virginia, for the purpose of insuring against all fire and marine risks, and discounting bonds, notes and other securities; which corporation shall keep its principal office or place of business at the city of Wheeling, in the county of Ohio, and is to expire on the twelfth day of November, eighteen hundred and ninety-four, (1894.)

And for the purpose of forming the said corporation we have subscribed the sum of one hundred thousand dollars to the capital thereof, and have paid in on said subscription the sum of ten thousand dollars and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to the sum of five hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively as follows, that is to say:

Edwin F. Rush, of Chicago, Illinois, one hundred and sixty-seven shares;

Francis M. Ives, of Chicago, Illinois, three hundred and thirty-four shares;

Sylvester E. Strickland, of Chicago Illinois, one hundred and sixty-seven shares;

Fred H. Thomas, of Chicago, Illinois, one hundred and sixty-six shares;

G. E. Marshall, of Chicago, Illinois, one hundred and sixty-six shares,

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twelfth day of November eighteen hundred and seventy four.

EDWIN F. RUSH,
FRANCIS M. IVES,
SYLVESTER E. STRICKLAND,
FRED. H. THOMAS,
G. E. MARSHALL.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twelfth day of November, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this nineteenth day of November, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

BALTIMORE AND OHIO INSURANCE COMPANY.

I, Charles Hedrick, Secretary of State of the West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Baltimore and Ohio Insurance Company," for the purpose of insuring against all marine risks, and against any damage or loss by fire, or any other liability, casualty or hazard upon any and every kind of property, real, personal or mixed; to make insurance on lives of any or all kinds, to grant annuities, to secure endowments, to contract for reversionary payments, to guarantee the payment of promissory notes, bills of exchange and other evidences of debt, to lend money on bottomry or respondentia, to cause themselves to be insured against all risks they may have in any property or lives, in their own right, or in virtue of any bonds or advances, or of any policy or contract of insurance; to invest its capital stock, or other funds of, or received by the company in bank of other stocks, in the purchase of bonds issued by this State, the United States, or of any one of the United States, or of the bonds of any incorporated company, mortgages or deeds of trust; to lend money on personal, real, or collateral security; to discount notes and bills of exchange and receive the interest in advance, or at the rate of one half of one per centum for thirty days; to pay interest upon money deposited with them, and give certificates therefor, and all other things deemed necessary or expedient (by the company,) to carry on a general insurance or guarantee business; which corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, and state of West Virginia, and is to expire on the ninth day of November, one thousand eight hundred and ninety-four.

And for the purpose of forming the said corporation we have subscribed the sum of one hundred thousand dollars, to the capital stock thereof, and have paid in on said subscription the sum of ten thousand dollars, and desire the privilege of increasing the said capital by the sales of additional shares from time to time to one million dollars in all.

The capital stock so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say:

J. Rufus Smith, Berkeley Springs, W. Va., 200 shares.

E. W. Canfield, Pawpaw, W. Va., 200 shares.

M. S. Campbell, Harpers Ferry, 200 shares.

W. Lyon, of Wheeling, W. Va., 200 shares.

E. C. Wiley, Wheeling, W. Va., 200 shares.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this tenth day of November, A. D. 1874.

J. RUFUS SMITH.

M. S. CAMPBELL.

E. C. WILEY.

E. W. CANFIELD.

W. LYON.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the ninth day of November, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twenty-third day of November, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

THE RIVERSIDE IRON WORKS.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the

proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a Corporation by the name of "The Riverside Iron Works," for the purpose of manufacturing iron and nails, mining, and the purchase and sale of merchandise ; which corporation shall keep its principal office and place of business at the city of Wheeling in the county of Ohio, in the State of West Virginia, and is to expire on the twenty-ninth day of October in the year one thousand eight hundred and ninety-four.

And for the purpose of forming the said corporation, we have subscribed the sum of one million dollars to the capital thereof, and have paid in on said subscription the sum of one million dollars.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say : by

Chauncey Dewey, eleven hundred and sixty-three shares ;
Charles P. Dewey, one hundred and twenty-five shares ;
Albert Dewey, one hundred and twenty-five shares ;
David M. Thornburgh, thirty-seven shares ;
Orville C. Dewey, one thousand shares ;
James Wilson Vance, two thousand three hundred and thirty-seven shares ;
Samuel McClellan,, eleven hundred and eighty-seven shares ;
John D. Culbertson, two hundred and six shares ;
Arthur C. McKeo, two hundred and thirty-seven shares ;
Nathan Wilkinson, two hundred and thirty-one shares ;
William L. Hearn, twenty-five hundred and thirty-seven shares ;
Frank J. Hearn, three hundred shares ;
Mary C. Hearn, seventy-five shares ;
Lewis Jones, one hundred and twenty-five shares .
Charles Rahr, one hundred and twelve shares ;
Joseph Dudley, fifty six shares ;
James Nesbitt, thirty-eight shares ;
Robert W. McClellan. thirty-one shares ;
Jacob Bowman, nineteen shares ;
Frederick Lindemann, ten shares ;
James Bellville, twelve shares ;
Martin Smith, twelve shares ; and Henry M. Babcock, twenty-five shares ; of whom, the said Chauncey Dewey, Charles P. Dewey and Albert Dewey reside in the town of Cadiz, in the State of Ohio ; the said David M. Thornburgh, in the county of Ohio, in the State of West

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Virginia; and all the other above named corporators reside in the said city of Wheeling.

Given under our hands this twenty-ninth day of October, in the year one thousand eight hundred and seventy-four.

CHAUNCEY DEWEY,
CHARLES P. DEWEY,
ALBERT DEWEY,
DAVID M. THORNBURG,
ORVILLE DEWEY,
JAMES N. VANCE.
SAMUEL McCLELLAN,
JNO. D. CULBERTSON,
ARTHUR C. McKEE,
NATHAN WILKINSON,
WILLIAM L. HEARN,
FRANK J. HEARN,
MARY C. HEARN,
LEWIS JONES,
CHARLES RAHR,
JOSEPH DUDLEY,
JAMES NESBITT,
ROBERT W. McCLELLAN,
JACOB BOWMAN,
FREDERICK LINDEMANN,
JAMES BELVILLE,
MARTIN SMITH,
HENRY M. BABCOCK.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twenty-ninth day of October, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this twenty-seventh day of November, eighteen hundred and seventy-four:

G. S.

C. HEDRICK.
Secretary of the State

KANAWHA SEMI--CANNEL COAL COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "Kanawha Semi-Cannel Coal Co.," for the purpose of mining, transporting and selling coal, and carrying on a general merchandise business, and manufacturing and dealing in lumber. Which corporation shall keep its principal office or place of business at Paint creek in the county of Kanawha and is to expire on the twenty-third day of September, 1894

And for the purpose of forming the said corporation we have subscribed the sum of ten thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one thousand dollars; and desire the privilege of increasing the said capital, by sales of additional shares, from time to time to fifty thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say: By

Chas. N. Ryan, Sandusky, Ohio, 20 shares.
John J. Johnson, Sandusky, Ohio, 20 shares,
Edgar J. Waye, Sandusky, Ohio, 20 shares.
Eleazar J. Ring, Saginaw, Mich., 20 shares.
Brewer Smith, Paint Creek, W. Va., 20 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twelfth day of October, 1874.

CHARLES N. RYAN,	[SEAL.]
JOHN J. JOHNSON,	[SEAL.]
EDGAR J. WAYE,	[SEAL.]
ELEAZAR J. RING,	[SEAL.]
BREWER SMITH.	[SEAL.]

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twenty-third day of September, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this twenty-eighth day of November, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

ST. CLOUD BRUSH COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "St. Cloud Brush Company," for the purpose of the manufacture and sale of brush blocks and brushes, and for the general manufacture of wood or iron, and for any other business or purpose useful to the public for which a firm or co-partnership may be lawfully formed in this State which corporation shall keep its principal office or place of business at St. Cloud, in the county of Cabell, and is to expire on the first day of October, 1894.

And for the purpose of forming the said corporation we have subscribed the sum of thirty thousand dollars to the capital thereof, and have paid in on said subscription, the sum of fifteen thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one million dollars.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, as follows, that is to say: by

Frank S. Allen, of New York, one hundred and fifty shares;

Charles S. Osborn, of New York, twenty shares;

Henry C. Parsons, of Huntington, W. Va., one hundred and twenty-five shares;

Nathan Loomis, of Huntington, W. Va., one share;

J. B. Brooks, of Huntington, W. Va., one share;

W. S. Downer, of Huntington, W. Va., three shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this the twenty-eighth day of October, A. D., 1874.

FRANK S. ALLEN,
CHAS. S. OSBORN,
H. CHESLER PARSONS,
NATHAN LOOMIS,
J. B. BROOKS,
W. S. DOWNER.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the the first day of October, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this thirtieth day of November, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

THE KANAWHA AND CINCINNATI PACKET COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Kanawha and Cincinnati Packet Company," for the purpose of owning, hiring, navigating and running steamboats for carrying passengers and freight, and for towing flat boats and barges for the transportation of coal, salt, iron and all other kinds of freight between any and all points on the Great Kanawha river, and any and all points on the Ohio river and the tributaries thereof; which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha, West Virginia, and is to expire on the tenth day of August eighteen hundred and ninety-four.

And for the purpose of forming the said corporation we have subscribed the sum of ten thousand (\$10,000) dollars to the capital thereof, and have paid in on said subscriptions the sum of ten thousand

(10,000) dollars; and desire the privilege of increasing said capital by sales of additional shares from time to time, to one hundred thousand (\$100,000) dollars in all.

The Capital so subscribed is divided into shares, of one hundred and twenty-five (\$125) dollars each, which are held by the undersigned respectively as follows; that is to say: by

John V. Reynolds, Malden, W. Va., forty-five shares;

William E. Truslow, Charleston, W. Va. ten shares;

Elijah Rooke, Malden, W. Va., ten shares;

Samuel Christy, Malden, W. Va., ten shares;

John Ruffner, Malden, W. Va., five shares;

Amounting, at par value to ten thousand (\$10,000) dollars.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this tenth day of August eighteen hundred and seventy-four.

SAMUEL CHRISTY,
E. ROOKE,
JNO. J. RUFFNER,
J. V. REYNOLDS,
W. E. TRUSLOW,

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the tenth day of August, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this third day of December, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

WELLSBURG BUILDING ASSOCIATION, OF WELLS-
BURG, WEST VIRGINIA.

I. Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by

the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of the "Wellsburg Building Association, of Wellsburg, West Virginia," for the purpose of raising money to be loaned among the members of such corporation for use in buying lots or houses, or in building or repairing houses ; which corporation shall keep its principal office or place of business in Wellsburg, in the county of Brook, and State of West Virginia, and is to expire on the 14th day of September, 1894.

And for the purpose of forming the said corporation we have subscribed the sum of seven hundred and fifty dollars to the capital thereof, and have paid in on said subscription the sum of seventy-five dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time to three hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred and fifty dollars each, which are held by the undersigned respectively as follows, that is to say : by

Thomas Everitt, one share ;
Lewis Hall, one share ;
H. G. Lazear, one share ;
Robert Scott, one share ;
W. H. Harvey, Sr., one share.

All of the town of Wellsburg, West Virginia.

And the capital hereafter to be sold is to be divided into shares of like amount.

Given under our hands this 14th day of September, 1874.

THOMAS EVERITT, [SEAL.]
L. HALL, [SEAL.]
H. G. LAZEAR, [SEAL.]
ROBT. SCOTT, [SEAL.]
WM. H. HARVEY, SR. [SEAL.]

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the 14th day of September, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this twenty-sixth day of September, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

KANAWHA COKE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an Agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Kanawha Coke Company," for the purpose of making transporting and vending coke to be made from bituminous coal, for sale, and for mining and buying coal, for sale, or for making coke therefrom; and for smelting iron in blast furnaces, or otherwise; which Corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha and State of West Virginia, and is to expire on the 1st day of August, 1894.

And for the purpose of forming the said Corporation we have subscribed the sum of twenty-five hundred dollars to the capital thereof, and have paid in on said subscription the sum of two hundred and fifty dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time to two hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say:

By Nicholas Fitzhugh, residing at Charleston, in Kanawha county, West Virginia, five shares;

By William A. Quarrier, residing at Charleston, Kanawha county, West Virginia, five shares;

By Allen T. Caperton, residing at Union, Monroe county, West Virginia, five shares;

By Andrew A. Preston, residing at Charleston, Kanawha county, West Virginia, five shares, and

By William H. Hogeman, residing at Charleston, Kanawha county, West Virginia, five shares ;

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this first day of August, 1874.

NICHOLAS FITZHUGH,
WM. A. QUARRIER,
A. T. CAPERTON,
ANDREW A. PRESTON,
WM. H. HOGEMAN.

Wherefore, The Corporators named in the said Agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of August, eighteen hundred and ninety-four, a Corporation by the name and for the purpose set forth in said Agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this twenty-sixth day of September, eighteen hundred and seventy-four.

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G. S.
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C. HEDRICK,
Secretary of the State.

KANAWHA VALLEY PACKET COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a Corporation by the name of the "Kanawha Valley Packet Company" for the purpose of navigating the Kanawha and Ohio rivers by steamboat and otherwise, for the purpose of carrying passengers and transporting goods, wares and merchandise, from point to point, on said rivers ; which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha, and State of West Virginia, and it is to expire on the first day of January, one thousand eight hundred and ninety-four.

And, for the purpose of forming the said Corporation, we have subscribed the sum of seven thousand dollars; to the capital, thereof, and have paid in on said subscription the sum of three thousand five hundred dollars, and desire the privilege of increasing said capital by sales of additional shares, from time to time, to the sum of fifty thousand dollars in all.

The capital so subscribed is divided into shares of five hundred dollars each; which are held by the undersigned, respectively as follows: that is to say, by

A. J. Becket, two shares, Kanawha county, West Virginia;
 J. W. Oakes, two shares, Kanawha county, West Virginia;
 W. J. Oakes, two shares, Kanawha county, West Virginia;
 Cornelius Calvert, two shares, Kanawha county West Virginia;
 Thos. J. Harrison, two shares. Kanawha county, West Virginia;
 L. B. Woods, two shares, Gallia county, Ohio;
 John Hutton, one share, Gallia county, Ohio;
 L. Z. Cadot, one share, Gallia county, Ohio.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 1st day of September, one thousand eight hundred and seventy-four.

A. J. BECKETT, 2 shares,	\$1,000 00
J. W. OAKES, 2 shares,	1,000 00
W. IRA OAKES, 2 shares,	1,000 00
CORNELIUS CALVERT, 2 shares,	1,000 00
THOMAS J. HARRISON, 2 shares,	1,000 00
LEANDER B. WOODS, 2 shares,	1,000 00
JOHN HUTTON, 1 share,	500 00
L. Z. CADOT, 1 share,	500 00

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this fourteenth day of December, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
 Secretary of the State.

THE BERKFLEY INSURANCE COMPANY OF WEST VIRGINIA.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a Corporation by the name of "The Berkeley Insurance Campany of West Virginia," for the purpose of transacting, prosecuting and carrying on the business of fire, marine, inland navigation, tornado, lightning and plate glass insurance ; which corporation shall keep its principal office or place of business at Martinsburg, Berkeley county and State of West Virginia, and is to expire on the thirtieth day of November, A. D., 1894,

And, for the purpose of forming the said corporation, we have subscribed the sum of one hundred thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of ten thousand dollars ; and desire the privilege of increasing the said capital, by sales of additional shares, from time to time, to two hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say : by

Thompson Reynolds, No. 2050 Cherry street, Philadelphia, 125 shares ;

Joseph M. Downing, No. 2046, Pine street, Philadelphia, 125 shares ;

William A. Baldwin, North sixty-second street, Philadelphia, 500 shares ;

Alfred N. Atwood, North seventeenth street, above Morris street, Philadelphia, 125 shares ;

Paul R. Hambrick, No. 231 Market street, Camden, New Jersey, 125 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our respective hands this first day of December, Anno Domini, 1874.

WM. A. BALDWIN.

ALFERD H. ATWOOD.

THOMPSON REYNOLDS.

J. M. DOWNING.

PAUL R HAMBRICK.

Wherefore, the corporators named in the said agreement, and who have signed the same and their successors and assigns, are hereby, declared to be, from this date until the thirtieth day of November, eighteen hundred and ninety four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this fifteenth day of December, eighteen hundred and seventy four.

G. S.

C. HEDRICK,
Secretary of the State.

CONTINENTAL INSURANCE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Continental Insurance Company," for the purpose of insuring against all marine risks and against any loss or damage by fire, lightning or any other liability, casualty, or hazard upon any and every kind of property, real, personal or mixed; the said company to have power to cause itself to be insured against all risks it may have in any property in its own right by virtue of any bonds or advances or of any policy or contract of insurance; to invest its capital stock or other funds of or secured by the company in bank or other stocks, in the purchase of bonds issued by the State of West Virginia, the United States or of any of the United States, or of the bonds of any incorporated company, in mortgages, or deeds of trust, to lend money on personal, real or collateral security, to discount notes and bills of exchange and receive the interest in advance, or at the rate of one-half of one per centum for thirty days, and all other things deemed necessary or expedient by the company to carry on a general insurance or guarantee business; which corporation shall keep its principal office or place of business at Martinsburg, in the county of Berkeley, State of West Virginia, and is to expire on the thirtieth day of November, A. D. eighteen hundred and ninety-four.

And for the purpose of forming the said corporation we have subscribed the sum of one hundred and fifty thousand dollars to the capital thereof, and have paid in on said subscription the sum of fifteen thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to seven hundred and fifty thousand dollars in all.

The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned, respectively, as follows: that is to say—

J. Rufus Smith, Berkeley Springs, West Va., six hundred shares;
T. L. Layne, of Wheeling, W. Va., six hundred, shares;
J. Burns, of Louisville, Ky., six hundred shares;
McGregor Steele, of Wheeling, W. Va., six hundred shares;
L. Hatch, of Martinsburg, W. Va., six hundred shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twelfth day of December, one thousand eight hundred and seventy-four (1874).

J. RUFUS SMITH,
T. L. PAYNE,
J. BURNS,
MCGREGOR STEELE,
L. HATCH,

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the thirtieth day of November, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this eighteenth day of December, eighteen hundred and seventy-four.

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G. S.
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C. HEDRICK,
Secretary of the State.

COMMONWEALTH INSURANCE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of the "Commonwealth Insurance Company" for the purpose of insuring against all marine risks and against any loss or damage by fire, lightning or any other liability, casualty, or hazard, upon any and every kind of property, real, personal or mixed; the said Company to have power to cause itself to be insured against all risks it may have in any property in its own right by virtue of any bonds or advances or of any policy or contract of insurance, to invest its capital stock or other fund of or received by the company in bank or other stocks, in the purchase of bonds issued by the State of West Virginia, the United States, or of the bonds of any incorporated company, in mortgages, or deeds of trust, to lend money on personal, real or collateral security, to discount notes and bills of exchange and receive the interest in advance, or at the rate of one half of one per centum for thirty days and all other things deemed necessary or expedient by the company, to carry on a general insurance or guarantee business; which corporation shall keep its principal office or place of business at Wheeling in the county of Ohio, State of West Virginia; and is to expire on the thirtieth day of November, A. D., eighteen hundred and ninety-four.

And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and fifty thousand dollars to the capital thereof, and have paid in on the said subscription the sum of fifteen thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to seven hundred and fifty thousand dollars in all.

The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned, respectively as follows, that is to say ;

William Aldrige, Wheeling, W. Va., 600 shares ;
John C. Morgan, Wheeling, W. Va., 600 shares ;
W. H. Seely, Boston, Mass., 600 shares ;
M. M. Murray, Wheeling, W. Va., 600 shares ;
A. L. Loundsbury, New York, 600 shares ;

The shares hereafter subscribed for to be also fifty dollars each.

Given under our hands this 11th day of December, one thousand eight hundred and seventy-four.

WILLIAM ALDRIDGE.
JOHN C. MORGAN.
W. H. SEELEY.
M. M. MURRAY.
A. L. LOUNDSBURY.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the thirtieth day of November eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this nineteenth day of December, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

CALIFORNIA COAL AND MANUFACTURING COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following.

We, the undersigned, agree to become a corporation by the name of the "California Coal and Manufacturing Company," for the purpose of mining coal and other minerals and the manufacturing of salt, bromine and other articles, for the purpose of transporting and converting the same, and for the purpose of transacting a general merchandise business; which corporation shall keep its principal office and place of business in the town of Hartford City in the county of Mason and State of West Virginia, and is to expire on the first day of December in the year eighteen hundred and ninety-four, (1894.)

And for the purpose of forming the said corporation we have subscribed the sum of thirty thousand dollars to the capital thereof, and have paid in on the said subscription the sum of three thousand dollars, and desire the privilege of increasing the said capital to one hundred thousand dollars, by the sale of additional shares whenever we may elect.

The capital so subscribed is divided into shares of one hundred dollars each, which is held by the undersigned respectively as follows, that is to say: by

John Hope, of Hartford City, W. Va., 125 shares ;
By Charles Pierce, of Hartford City, W. Va., 125 shares ;
By William Price Jr., of Hartford City, W. Va., 5 shares ;
By Andrew J. Sayre, of Hartford City, W. Va., 5 shares ;
By Edward Hope, Jr., of Hartford City, W. Va., 5 shares ;
By Thomas F. Davis, Centerville, Ohio, 25 shares ;
By David C. Lewis, Middleport, Ohio, 10 shares ;

And the capital hereafter to be sold is to be divided into shares of the like amount.

Given under our hands this first day of December, 1874.

JOHN HOPE,
CHARLES PIERCE,
WILLIAM PIERCE, JR.,
ANDREW J. SAYRE,
EDWARD HOPE, SR.,
THOMAS F. DAVIS,
DAVID C. LEWIS,

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of December, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this twenty-first day of December, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

THE MARTINSBURG DRIVING ASSOCIATION.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by

the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Martinsburg Driving Association," for the purpose of training, developing and improving horses ; which corporation shall keep its principal office or place of business at Martinsburg, in the county of Berkeley, and is to expire on January 1st, 1894.

And for the purpose of forming the said association or corporation we have subscribed the sum of seven hundred and forty dollars to the capital thereof, and have paid in on said subscription the sum of seventy-four dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time to fifty thousand dollars in all.

The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned, respectively, as follows, that is to say : by

John Q. A. Nadenbousch, ten shares ;
Charles J. Faulkner, Jr., five shares ;
H. H. Blackburn, five shares ;
Independent Printing Company, five shares ;
J. W. McSherry, ten shares ;
George Wild, five shares ;
H. C. Robinson, two shares ;
Frank A. Burr, two shares ;
William Rutlege, ten shares ;
W. H. H. Flick, five shares ;
N. D. Baker, two shares ;
Frank Patterson, two shares ;
Ward H. Lamon, five shares ;
J. Howard Gettinger, three shares ;
Wm. T. Stewart, three shares.

All of whom reside in Berkeley county, State of West Virginia.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this fifth day of December, A. D., 1874.

W. H. H. FLICK,
 GEORGE WILD,
 H. C. ROBINSON,
 FRANK A. BURR,
 WM. RUTLEGE,
 N. D. BAKER,
 FRANK PATTERSON,
 J. HOWARD GETTINGER,
 J. Q. A. NADENBOUSCH,
 CHAS. J. FAULKNER, JR.
 H. H. BLACKBURN,
 INDEPEND'T PRINT'G CO.,
 (Per Logan & Wisner)
 J. W. McSHERRY.
 WARD H. LAMON,
 W. T. STEWART.

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this twenty third day of December, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
 Secretary of the State.

WORKING MENS BUILDING ASSOCIATION No. 2 OF WHEELING.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Working Mens Building Association No. 2 of Wheeling," for the purpose of accumulating a fund to enable its members to buy

houses or real estate and to secure loans; which corporation shall keep its principal office or place of business in Wheeling, in the county of Ohio, and is to expire on the first day of January (1885) eighteen hundred and eighty-five.

And for the purpose of forming said corporation we have subscribed the sum of (\$1,000,) one thousand dollars, to the capital thereof; and have paid in on said subscriptions the sum of (\$100) one hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to (\$400,000) four hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars (\$100) each, which are held by the undersigned respectfully as follows: that is to say: by

John A. Ritz, two shares;
John Fitzsimons, one share;
Otto Hess, one share;
Peter Dolan, one share;
John P. Carney, one share;
Samuel Kuglen,, one share;
Edward Christman, one share;
Robert Emblen, one share;
George W. Marquis, one share;
All of Wheeling, West Virginia.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this tenth day of December, A. D., eighteen hundred and seventy-four.

JNO. A. RITZ,
JNO. FITZSIMONS,
OTTO HESS,
SAM'L. KUGLEN,
EDWARD CHRISTMAN,
ROBFRT EMBLEN,
PETER DOLAN,
GEORGE W. MARQUIS,
JNO. P. CARNEY,

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and eighty five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twenty-ninth day of December, eighteen hundred and seventy-four.

G. S.

C. HEDRICK,
Secretary of the State.

CENTRE FOUNDRY COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Centre Foundry Company" for the purpose of carrying on a general foundry and machine business in all its branches; which corporation shall keep its principal office or place of business at Wheeling, in the county of Ohio, and State of West Virginia, and is to expire on the tenth day of December, 1894.

And for the purpose of forming the said corporation we have subscribed the sum of thirty thousand dollars to the capital thereof, and have paid in on said subscription the sum of twenty-two thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to seventy-five thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows; that is to say; by

Edmund Hobbs, Sr., Wheeling, Ohio county, W. Va., one hundred and sixty-three shares;

John Young, Wheeling, Ohio county, W. Va., forty-one shares;

James R. McCourtney, Wheeling, Ohio county, W. Va., thirty-four shares;

Alexander J. Cecil, Wheeling, Ohio county, W. Va., thirty-four shares;

Edmund Hobbs, Jr., Wheeling, Ohio county, W. Va., twenty-eight shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 10th day of December, 1874.

EDMUND HOBBS, SR.,
JOHN YOUNG,
JAMES R. McCORTNEY,
ALEXANDER J. CECIL,
EDMUND HOBBS, JR."

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the tenth day of December, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this fourth day of January, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

THE POTOMAC INSURANCE COMPANY OF MARTINSBURG, WEST VIRGINIA.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Potomac Insurance Company of Martinsburg, West Virginia," for the purpose of insuring goods and chattels, property, dwellings, real estate, plate glass, from loss or damage by fire or other casualty ; which corporation shall keep its principal office or place of business at Martinsburg, Berkeley county, State of West Virginia, and is to expire on the fifteenth day of December, A. D., 1894.

And for the purposes of forming the said corporation we have subscribed the sum of one hundred thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of ten thousand dollars, and desire the privilege of increasing the said capital by sales

of additional shares, from time to time, to one hundred and fifty thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say: by

Kennard Keen, of Philadelphia, two hundred shares;

David Newcomb, of Philadelphia, two hundred shares;

William P. Devitt, of Martinsburg, West Virginia, two hundred shares;

Samuel L. Cole, of Winchester, Virginia, two hundred shares; and

George Messenger, of Philadelphia, two hundred shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this sixteenth day of December, A. D., 1874.

WILLIAM P. DEVITT,
DAVID NEWCOMB,
KENNARD KEEN,
SAMUEL L. COLE,
GEORGE MESSENGER,

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the fifteenth day of December, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this fifth day of January, eighteen hundred and twenty-five.

G. S.

C. HEDRICK,
Secretary of the State.

THE INTERNATIONAL MANUFACTURING, MINING AND SAVINGS COMPANY OF WEST VIRGINIA.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The International Manufacturing, Mining and Savings Company of West Virginia," for the purposes of transacting an insurance brokerage business; manufacturing and dealing in all articles made in part or altogether of either iron, wool, cotton, silk or either of them; mining coal, iron, stone and every other product of the earth; a construction company for the purpose of constructing telegraph lines; an express company; which corporation shall keep its principal office or place of business at Martinsburg, in the county of Berkley, and is to expire on the twenty-fourth day of December, A. D., 1894.

And for the purpose of forming the said corporation, we have subscribed the sum of ten thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one million dollars in all.

The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned, respectively, as follows, that is to say: by

West Steever, of St. Louis, Missouri, 10 shares;
 Frank H. Rollins, of Philadelphia, Pennsylvania, 10 shares;
 William D. Allen, of Philadelphia, Pa., 40 shares;
 William H. Reaheffer, of Philadelphia, Pa., 40 shares;
 Charles E. Rollins, of Philadelphia, Pa., 900 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-third day of December, A. D., 1874.

WEST STEEVER.
 F. H. ROLLINS.
 WM. D. ALLEN.
 W. H. REAHEFFER.
 C. E. ROLLINS.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twenty-fourth day of December, eighteen hundred and ninety-four, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this fifth day of January, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
 Secretary of the State.

JEFFERSON COUNTY AGRICULTURAL COLLEGE.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Jefferson County Agricultural College," with its office or principal place of business at the college buildings, near Lee Town in Jefferson County, West Virginia, and it is designed to be perpetual and for the purpose of establishing a college for the education of youths and for teaching all the branches of useful information usually taught in colleges, and especially those sciences desirable to fit a person for agricultural pursuits. The said college is to be located near Lee Town in said county and to be under the control and direction of seven directors to be elected by the stockholders and for the purpose of receiving, holding and managing and applying such funds, money and property as may hereafter be bequeathed, devised or granted in aid thereof, as well as all funds which may be paid in by the stockholders in said incorporation and especially for the purpose of buying such real estate as they may deem necessary for the purposes of conducting such college and erecting such buildings as they may deem proper.

And for the purpose of founding said corporation we have subscribed the sum of two hundred and fifty dollars to the capital thereof, and have paid in on said subscription the sum of twenty five dollars and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to five hundred thousand dollars in all.

The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, citizens and residents of Jefferson County aforesaid as follows, each one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 19th day of January, A. D., 1875.

One share,	ROBERT W. BAYLOR,
One share,	DANIEL B. LUCAS,
One share,	HIRAM SHOWMAN,
One share,	JAS. H. GROVE,
One share,	THOMAS C. GREEN.

Wherefore, the corporators named in the said agreement, and who

have signed the same, and their successors and assigns, are hereby declared to be, from this date, perpetually, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this thirtieth day of January, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

UNIONTOWN MILL COMANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

We the undersigned agree to become a corporation by the name of "Uniontown Mill Company," for the purpose of dealing in grain and manufacturing the same into bread-stuffs, feed, &c., and for the purpose of dealing in timber, and sawing and manufacturing the same into all kinds of lumber, laths, shingles, staves, building material, furniture, &c; which corporation shall keep its principal office or place of business at Uniontown, in the county of Wetzell, State of West Virginia, and is to expire on the first day of January, 1895.

And for the purpose of forming the said corporation, we have subscribed the sum of four thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to fifteen thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows: that is to say,—

By F. M. Stansbury, Uniontown, W. Va., twelve shares;
By M. J. Grim, Uniontown, W. Va., eleven shares;
By Caleb Jackson, Uniontown, W. Va., two shares;
By Boaz B. Poslethwait, Uniontown, W. Va., two shares;
By Samuel Taylor, Uniontown, W. Va., two shares;
By Wm. J. Anderson, Uniontown, W. Va., two shares;
By Garrison Anderson, Uniontown, W. Va., two shares;

By John C. Payne, Uniontown, W. Va., two shares;
By Richard Lemly, Uniontown, W. Va., one share;
By James V. Higgins, Uniontown, W. Va., one share;
By A. H. Jackson, Uniontown, W. Va., one share;
By Wm. C. Jackson, Uniontown, W. Va., one share;
By Jas. W. Numan, Uniontown, W. Va., one share;

Of the capital above subscribed, the sum of five hundred has been paid in. The capital hereafter sold to be divided into shares of the same amount as that already sold.

Given under our hands this 18th day of January, 1875.

F. M. STANSBURRY,
B. B. POSLETHWAIT,
GARRISON ANDERSON,
JAMES V. HIGGINS,
M. J. GRIM,
SAMUEL TAYLOR,
JOHN C. PAYNE,
A. H. JACKSON,
CALEB JACKSON,
W. J. ANDERSON,
RICHARD LEMLEY,
WM. C. JACKSON,
J. W. NUMAN.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this first day of February, eighteen hundred and seventy-five.

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G. S.
}

C. HEDRICK,
Secretary of the State.

THE WEST FAIRMONT PLOUGH, WAGON AND MANUFACTURING COMPANY.

I, Charles Hodrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The West Fairmont Plough, Wagon and Manufacturing Company," for the purpose of manufacturing ploughs, wagons, carriages, buggies, carts, drays, wheel-barrows and other farming implements generally, and to transact any and all other business necessarily connected therewith, or calculated to facilitate the same; which corporation shall keep its principal office or place of business at or near Fairmont, Marion county, West Virginia, and is to expire on the first day of January, 1894.

And for the purpose of forming the said corporation we have subscribed the sum of twenty-one hundred and fifty dollars and paid in the same, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to twenty thousand dollars in all.

The capital subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectfully, as follows, that is to say: By

John S. Smith, ten shares.

John W. Everhart, ten shares.

William Vandervoort, eleven shares.

James W. Boggess, ten shares.

And Edwin D. King, two shares, and all residents of Marion county, West Virginia, and the capital hereafter sold is divided into shares of a like amount.

Given under our hands this first day of January, 1875.

J. S. SMITH,
J. W. EVERHART,
JAMES W. BOGGESE,
EDWIN D. KING,
WM. VANDEVOORT."

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this tenth day of February, eighteen hundred and seventy-five.

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G. S.
}

C. HEDRICK,
Secretary of the State.

ARLINGTON INSURANCE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Arlington Insurance Company," for the purpose of carrying on the business of fire, marine and inland navigation insurance; which corporation shall keep its principal office or place of business at Parkersburg, in the county of Wood, State of West Virginia; and is to expire on the twelfth day of February, A. D., (1895) eighteen hundred and ninety-five.

And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and fifteen thousand dollars to the capital thereof, and have paid in on said subscription the sum of twenty thousand and desire the privilege of increasing said capital by the sale of additional shares from time to time, to five hundred thousand dollars in all.

The capital so subscribed is divided into shares, of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say: by

No. shares.	Names.	Residence.	Amount of stock.
100	A. Britz,	Ottowa, Ohio,	\$10,000 00
250	Benj. W. Goodhue,	Bunker Hill, Kan's.,	25,000 00
700	John M. Rice,	Austin, Illinois,	70,000 00
50	E. S. Britz,	Ottowa, Ohio,	5,000 00
50	C. J. Mann,	Toledo, Ohio,	5,000 00

And the capital to be hereafter sold is to be divided into shares of like amount, of one hundred dollars each.

Given under our hands this twelfth day of February, A. D., eighteen hundred and seventy-five.

A. BRETZ,
BENJ. W. GOODHUE,
JOHN M. RICE,
E. S. BRETZ,
C. J. MANN,

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twelfth of day February, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the City of Charleston, this eighteenth day of February, eighteen hundred and seventy-five.

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G. S.
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C. HEDRICK,
Secretary of the State.

THE FIRE AND MARINE INSURANCE COMPANY OF WHEELING, WEST VIRGINIA.

I, Charles Hedrick, Secretary of the State of West Virginia hereby certify that an Agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which Agreement is in the words and figures following :

The undersigned agree to become a Corporation by the name of "The Fire and Marine Insurance Company of Wheeling, West Virginia," for the purpose of insuring against all marine risks and against any damage or loss by fire or by any other liability, casualty or hazard upon any and every kind of property, real and personal or mixed ; to make insurance on life, and to do all things deemed necessary to carry on a general insurance business ; which corporation shall keep its principal office or place of business at the city of Wheeling, in the county of Ohio and State of West Virginia, and to expire on the twenty-seventh day of February, eighteen hundred and ninety-five.

And for the purpose of forming the said corporation, we have subscribed the sum of fourteen thousand one hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fourteen hundred and ten dollars ; and desire the privilege of increasing

the said capital, by sales of additional shares, from time to time, to five hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say: by

Andrew Wilson, of the city of Wheeling, in the county of Ohio, and State of West Virginia, twenty shares;

By Elijah James Stone, of the same city, county and State, twenty shares;

By Alfred Caldwell, of the same city, county and State, ten shares;

By Alexander G. Robinson, of the same city, county and State, ten shares;

By John Kent Botsford, of the same city, county and State, ten shares;

By Henry Schmulback, of the same city, county and State, twenty shares;

By William Ellingham, of the same city, county and State, five shares;

By Henry K. List, of the same city, county and State, twenty shares;

By Thomas Halcroft Logan, of the same city, county and State, ten shares;

By George Edward Mendel, of the same city, county and State, five shares;

By Charles James Rawling, of the same city, county and State, five shares;

By Mortimer Pollock, of the same city, county and State, six shares;

And the capital stock to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-seventh day of February, eighteen hundred and seventy-five.

ANDREW WILSON,
E. J. STONE,
ALFRED CALDWELL,
ALEX. G. ROBINSON,
J. K. BOTSFORD,
C. J. RAWLEY,
WM. ELLINGHAM,
HENRY K. LIST,
THOS. H. LOGAN,
G. ED. MENDEL,
HENRY SCHMULBACK,
M. POLLOCK."

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twenty-seventh day of February eighteen hundred and ninety-nine, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this fourth day of March, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

THE KEYSER BUILDING AND LOAN ASSOCIATION.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Keyser Building and Loan Association," for the purpose of raising money to be loaned to its share holders to be used in building and repairing houses and buying lots and houses; which corporation shall keep its principal office or place of business at Keyser, in the county of Mineral, and is to expire on the first day of April, 1894.

And for the purpose of forming the said corporation we have subscribed the sum of seven hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of seventy-five dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to one hundred and eighty thousand dollars in all.

The capital so subscribed is divided into shares of one hundred and fifty dollars each, which are held by the undersigned, respectively as follows, that is to say:

F. M. Reynolds, of Keyser, Mineral county, W. Va., one share;
D. T. Grunwade, of Keyser, Mineral county, W. Va., one share;
A. L. Liller, of Keyser, Mineral county, W. Va., one share;
T. B. Davis, of Keyser, Mineral county, W. Va., one share,
J. W. Kega, of Keyser, Mineral county, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 4th day of March, 1875.

F. M. REYNOLDS.
D. F. GRUNWADE.
T. B. DAVIS.
A. L. LILLER.
J. W. KEYS.

Wherefore, The Corporators named in the said Agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of April, eighteen hundred and ninety-four, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this ninth day of March, eighteen hundred and seventy-five.

G. S.

C. HEDRICK.

Secretary of the State.

MARTINSBURG AND READING COAL AND IRON COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Martinsburg and Reading Coal and Iron Company," for the purpose of mining coal and iron; the erection and operation of blast furnaces; the manufacture of iron in all grades and of all kinds; the operation of mills and machinery for the purpose of such manufacture of iron in any or all its grades and detail; the erection of machinery and operation of all the auxiliaries necessary to the mining of coal and iron or either of them, either for shipment, use or manufacture and the erection of all and any buildings or machinery or other thing necessary to the use or benefit of such corporation; which corporation

shall keep its principal office or place of business at Martinsburg, in the county of Berkeley, State of West Virginia, and is to expire on the first day of March, A. D., 1895.

And for the purpose of forming said corporation we have subscribed the sum of one hundred thousand dollars to the capital thereof, and have paid in on said subscription the sum of ten thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one million dollars in all.

The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively, as follows, that is to say : by

John S. Hill, of Reading, Penn., four hundred and twenty-three shares ;

Charles S. Hill, of Reading, Penn., four hundred and twenty-two shares ;

George Wild, of Martinsburg, West Va., three hundred and eighty-eight shares ;

Frank A. Burr, of Martinsburg, West Va., three hundred and eighty-seven shares ;

E. A. Thrush, of Martinsburg, West Va., three hundred and eighty shares.

And the capital to be hereafter sold is to be divided into shares of a like amount.

Given this first day of March, A. D., 1875, under our hands, at Martinsburg, in the county of Berkeley, State of West Virginia

JOHN S. HILL,
CHARLES S. HILL,
GEORGE WILD,
E. A. THRUSH,
FRANK A. BURR.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of March, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this eleventh day of March, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

THE FARMERS' MUTUAL STORE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Farmers' Mutual Store Company," for the purpose of buying and selling dry goods, groceries, drugs, medicines, grain, produce, agricultural and other implements, and machines, hardware, queensware, boots, shoes, hats, caps, books, stationery, millinery goods, live stock, lumber and all other articles used or raised on the farm or household, which corporation shall keep its principal office or place of business at Potomac, in the county of Ohio and State of West Virginia, and is to expire on the first day of January, 1895.

And for the purpose of forming the said corporation we have subscribed the sum of six hundred (\$600) dollars to the capital thereof, and have paid on said subscriptions the sum of five hundred and ninety dollars, and desire the privilege of increasing the said capital, by sales of additional shares, from time to time to twenty-five thousand (\$25,000) dollars in all.

The capital so subscribed is divided into shares of five (\$5) dollars each, which are held by the undersigned respectively, as follows, that is to say; By

James McMurray, Potomac, Ohio county, W. Va., 24 shares.....	\$120
Isaac Snedeker, Potomac, Ohio county, W. Va., 23 shares.....	115
William McCreath, Danfort, Wash. county, Pa., 22 shares.....	110
Oliver Reed, Potomac, Ohio county, W. Va., 4 shares.....	20
Felix Maldoon, Potomac, Ohio county, W. Va., 16 shares.....	80
Thos. G. Snedeker, Potomac, Ohio county, W. Va., 5 shares.....	25
Joseph Harvey, West Liberty, Ohio county, W. Va. 4 shares....	20
John Dunkle, Potomac, Ohio county, W. Va., 2 shares.....	10
Oliver B. McAdoo, Dunsfort, Wash. Co., Pa., 14 shares.....	70
Jno. Clark Criss, Potomac, Ohio county., W. Va., 4 shares.....	20
Theodore A. Wallaer, Potomac, Ohio Co., W. Va., 2 shares.....	10

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hand this twelfth day of February, one thousand eight hundred and seventy-five.

JAMES McMURRAY,
ISAAC SNEDEKER,
WM. McWREATH,
OLIVER REED,
FELIX MALDOON,
THOMAS G. SNEDEKER,
JOS. HARVEY,
JOHN DUNKLE,
O. B. McADOO,
J. C. CRISS,
T. A. WALLAER.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this fifteenth day of March, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

THE WEST FAIRMONT AND MARION CONSOLIDATED GAS COAL COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "West Fairmont and Marion Consolidated Gas Coal Company," for the purpose of acquiring and holding coal lands and privileges near Fairmont in Marion County, West Virginia, and of mining shipping and selling coal and its products, and transacting all business properly appertaining thereto; which corporation shall keep its

principal office at the City of New York, in the State of New York, and is to expire on the first day of January, 1895.

And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and twenty-five dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred and twenty-five dollars, and desire the privilege of increasing the said capital, by sales of additional shares, to eight hundred thousand dollars in all.

The capital so subscribed is divided into shares of twenty-five dollars each, which are held by the undersigned respectively as follows, that is to say :

Clarence S. Brown, City of New York, 1 share.....	\$25,00
Gilbert R. Van Allen, City of Brooklyn, New York, 1 share	25,00
Henry J. Davison, City of New York, 1 share.....	25,00
James T. Soutter, City of New York, 1 share.....	25,00
Charles M. Davison, Fairmont, W. Va., 1 share.....	25,00

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this nineteenth day of January, eighteen hundred and seventy-five.

CLARENCE S. BROWN,
C. M. DAVISON,
GILBERT R. VAN ALLEN,
HENRY J. DAVISON.
J. T. SOUTTER,

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twentieth day of March, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

OHIO RIVER MILL COMPANY.

• I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Ohio River Mill Company," for the purpose of erecting saw mills and wood working mills and machinery, and the manufacturing, buying and selling of all kinds of lumber and wooden ware, materials, and general wooden manufactures, of every nature and description ; which corporation shall keep its principal office or place of business at Parkersburg in the county of Wood, and is to expire on the nineteenth of March, eighteen hundred and ninety-five.

And for the purpose of forming the said corporation, we have subscribed the sum of forty thousand dollars to the capital thereof, and have paid in on said subscriptions, the sum of twenty-six thousand and seven dollars, and thirty-six cents, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say :

By John W. Mitchell, fifty shares ;
By James R. Timms, fifty shares ;
By Joshua M. Davidson, fifty shares ;
By Stephen Davidson, fifty shares ;
By Otis E. Shaw, fifty shares ;
By J. L. Buckley, fifty shares ;
By Thompson Leach fifty shares ;
By Jenkins, Jackson & Co., twenty-five shares ;
By Charles Rhoads, twenty-five shares ;

All of whom (except Charles Rhoads, who resides in Granville Licking, county, Ohio,) reside in Parkersburg, Wood county, West Virginia.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this nineteenth day of March, A. D., eighteen hundred and seventy-five.

J. W. MITCHELL,
J. R. TIMMS,
J. M. DAVIDSON,
STEPHEN DAVIDSON,
OTIS E. SHAW,
THOMPSON LEACH,
J. L. BUCKLEY, by
THOMPSON LEACH,
C. RHOADS, by
J. M. DAVIDSON,
JENKINS, JACKSON & CO ,

Wherefore, The corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the nineteenth day of March, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twenty-fourth day of March, eighteen hundred and seventy-five.

G. S.

C. HEDRICK.
Secretary of the State

THE GRANGERS' MUTUAL BENEFIT LIFE ASSOCIATION.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Grangers' Mutual Benefit Life Association," for the purpose of insuring the lives of persons, more especially Grangers; which corporation shall keep its principal office or place of business at Charleston, in the county of Jefferson, and is to expire on the twenty-fifth day of March, eighteen hundred and ninety-five.

And for the purpose of forming said corporation, we have subscribed the sum of thirty dollars to the capital thereof, and have paid in on said subscriptions the sum of six dollars, and desire the privilege of increasing the said capital, by sales of additional shares, from time to time, to thirty thousand dollars in all.

The capital so subscribed is divided into shares of five dollars each, which are held by the undersigned respectively as follows, that is to say: By

John W. Grantham, of Jefferson county, W. Va., one share.

John H. Strider, of the county of Jefferson, W. Va., one share.

Wm. H. T. Lewis, of the county of Jefferson W. Va., one share.

Isaac H. Strider, of the county of Jefferson, W. Va., one share.

C. T. Butler, of the county of Jefferson, W. Va., one share.

And Moses W. Burr, of the county of Jefferson, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twentieth day of March, 1875.

JOHN W. GRANTHAM,
JOHN H. STRIDER,
ISAAC H. STRIDER,
W. H. T. LEWIS,
MOSES W. BURR,
C. T. BUTLER.

Wherefore, The Corporators named in said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twenty-fifth day of March, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this thirtieth day of March, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

THE HOUSTON COAL COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

'The undersigned agree to become a corporation by the name of the "Houston Coal Company," for the purpose of mining and shipping coal; which corporation shall keep its principal office or place of business at Charleston, in the County of Kanawha, and is to expire on the 1st day of April, 1890.

And for the purpose of forming the said corporation we have subscribed the sum of five hundred and fifty dollars to the capital thereof, and have paid in on said subscriptions the sum of five hundred and fifty dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to fifty thousand dollars in all.

The capital so subscribed is divided into shares of five dollars each, which are held by the undersigned respectively as follows, that is to say: by

V. F. Cracraft, Charleston, W. Va., 36 shares;
O. A. Thayer, Charleston, W. Va., 36 shares;
W. T. Thayer, Charleston, W. Va., 36 shares;
W. E. Truslow, Charleston, W. Va., 1 share;
J. W. Cracraft, Charleston, W. Va., 1 share;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 2nd day of April, 1875.

V. F. CRACRAFT,
W. T. THAYER,
O. A. THAYER,
W. E. TRUSLOW,
J. W. CRACRAFT.

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of April, eighteen hundred and ninety, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this 2nd day of April, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

THE LEWISTON COAL COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Lewiston Coal Company," for the purpose of mining, shipping and selling coal, and of manufacturing, shipping and selling coke, and for all other purposes necessary and advantageous to the carrying on of the business and purposes of said corporation; which corporation shall keep its principal office or place of business at Lewiston, in the county of Kanawha, West Virginia, and is to expire on the first day of April, 1895.

And for the purpose of forming the said corporation, we have subscribed the sum of twenty thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of twenty thousand dollars; and desire the privilege of increasing the said capital, by sales of additional shares, from time to time, to two hundred and fifty thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say: by

J. B. Lewis, Lewiston, W. Va., fifty shares;

Lewis F. Donnally, trustee for M. W. Donnally, Charleston, W. Va., fifty shares;

Moses Norton, trustee for his children, James H., Mary E., and Wilber S. Norton, Kanawha Salines, W. Va., fifty shares;

John Claypool, Charleston, W. Va., twenty-five shares;

William E. Truslow, Charleston, W. Va., twenty-five shares.

Total: Two hundred shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this eighth day of April, 1875.

J. B. LEWIS,
L. F. DONNALLY,
Trustee for M. W. Donnally.
M. NORTON,
Trustee for his children, James H., }
Mary E., and Wilber S. Norton. }
JOHN CLAYPOOL,
W. E. TRUSLOW.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of April, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of said State, at the city of Charleston, this eighth day of April, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

ENTERPRISE IRON AND COAL COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "Enterpaise Iron and Coal Company," for the purpose of mining coal and other minerals, manufacturing pig metal and other kindred objects; which corporation shall keep its principal office or place of business at Jackson C. H., Jackson county, in the State of Ohio, and is to expire on the 3d day of April, A. D. 1895.

And for the purpose of forming said corporation, we have subscribed the sum of fourteen thousand dollars to the capital thereof, and have paid on said subscriptions the sum of fourteen hundred dollars and more, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to sixty-four thousand dollars in all.

The capital stock so subscribed is divided into shares of four hundred dollars each, and are held by the undersigned, respectively, as follows, that is to say :

William Vaughn, Jackson C. H., Ohio, five shares ;
James Tripp, Jackson C. H., Ohio, five shares ;
Jessee W. Laird, Jackson C. H., Ohio, five shares ;
Jonathan R. Booth, Jackson C. H., Ohio, five shares ;
Adam W. Long, Jackson C. H., Ohio, five shares ;
George Pugh, Jackson, C. H., Ohio, five shares ;
Christian F. Bestsch, Jackson C. H. Ohio, five shares.

And the capital stock to be hereafter sold is to be divided into shares of like amount.

And under our hands this 3d day of April, A. D., 1875.

WILLIAM VAUGHN,
JAMES TRIPP,
JESSEE W. LAIRD,
JONATHAN R. BOOTH,
ADAM W. LONG,
GEORGE PUGH,
CARISTIAN F. BESTSCH.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the third day of April eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this ninth day of April eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

THE WEST CHARLESTON COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The West Charleston Company," for the purpose of manufacturing brick or lumber, or engaging in the manufacture of iron or any other manufacturing operation; which corporation shall keep its principal office or place of business at West Charleston in the county of Kanawha and is to expire on the 20th day of April, A. D., 1895.

And for the purpose of forming the said corporation, we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscription the sum of fifty dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to \$500,000 in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say: by

J. Brisben Walker, West Charleston, W. Va., one share,	\$100
J. Walker, Jr., Elizabeth, Pa., one share,	100
P. H. Galligher, Charleston, W. Va., one share,	100
G. W. Atkinson, Charleston, W. Va., one share,	100
Wm. A. Quarrier, Charleston, W. Va., one share,	100

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 20th day of April, 1875.

J. BRISBEN WALKER,
JOHN WALKER, JR.,
P. H. GALLIGHER,
GEO. W. ATKINSON,
WM. A. QUARRIER.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twentieth day of April, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twentieth day of April, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

BANK OF THE OHIO VALLEY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an Agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which Agreement is in the words and figures following:

The undersigned hereby enter into articles of association, and agree to become a corporation by the name of "Bank of the Ohio Valley," for the purpose of carrying on the business of banking, and of exercising, under the laws of the State of West Virginia all such incidental powers as shall be necessary to carry on said business, by discounting promissory notes, negotiating drafts, bills of exchange, and other evidences of indebtedness, by receiving deposits, buying and selling exchange, bank notes, bullion, or coin, and by loaning money on personal or other security, and by doing all things, authority for which can be obtained expressly or by implication from chapter 216 of the Acts of the Legislature, of West Virginia, at its eleventh session, by a corporation organized under said chapter, and the said corporation shall be known in its dealings by said name, and is to expire on the 17th day of April, A. D., 1895.

For the purpose of forming the said corporation, we have subscribed the sum of thirty thousand dollars to the capital stock thereof, which is divided into three hundred shares, and have paid in on such subscriptions, the sum of three thousand dollars.

The said bank is to be located in the city of Wheeling, in Ohio county, in the State of West Virginia. The capital stock so subscribed is held by the undersigned respectively, as follows, that is to say:

By Geo. Adams, fifty shares.

By John K. Botsford, fifty shares;

By Jacob S. Rhodes, fifty shares;

By William B. Simpson, fifty shares;

By Henry M. Harper, fifty shares; and,

By William A. Turner, fifty shares.

All of the undersigned and above mentioned shareholders are residents of the city of Wheeling, in the county of Ohio, and State of West Virginia.

The maximum of additional shares which the undersigned may hereafter, from time to time, desire to sell, is forty-seven hundred shares, of the par value of one hundred dollars each. We hereby declare that these articles are made to enable the undersigned to avail themselves of the advantages of the said chapter of the Acts of the Legislature of the State of West Virginia.

Witness our hands and seals this 17th day of April, A. D., 1875.

GEORGE ADAMS,	[SEAL.]
J. K. BOTSFORD,	[SEAL.]
J. S. RHODES,	[SEAL.]
W. B. SIMPSON,	[SEAL.]
H. M. HARPER,	[SEAL.]
WM. A. TURNER,	[SEAL.]

Wherefore, The corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the seventeenth day of April, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twenty-first day of April, eighteen hundred and seventy-five.

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G. S.
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C. HEDRICK,
Secretary of the State.

VOLCANO HALL COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "Volcano Hall Company" for the purpose of erecting a building in which Public and Lodge meetings and amusements may be held. It is the intention of the said Volcano Hall Company to rent the said building to Lodges and such other parties as may desire to use it; which corporation shall keep its principal office or place of business at Volcano, in the county of Wood, and State of West Virginia, and is to expire on the thirty-first day of December, in the year of our Lord one thousand eight hundred and eighty-nine.

And for the purpose of forming the said corporation we have subscribed the sum of six hundred and twenty-five dollars to the capital thereof, and have paid in on said subscriptions, the sum of sixty two dollars and fifty cents, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one thousand dollars in all.

The capital so subscribed is divided into shares of one dollar each, which are held by the undersigned respectively as follows, that is to say: by

F. M. Wright, of Volcano West Virginia, fifty shares;

E. W. Staples, of Volcano, West Virginia, fifty shares;

Volcano Lodge No. 62, Independent Order of Odd Fellows, of Volcano, West Virginia, two hundred and fifty shares;

Volcano Lodge No. 92 Independent Order of Good Templars, of Volcano, W. Va., two hundred and fifty shares;

D. Smythe Steele of Volcano, West Virginia, twenty five shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this first day of March, in the year of our Lord one thousand eight hundred and seventy-five.

F. M. WRIGHT,

E. W. STAPLES,

VOLCANO LODGE NO. 62, I. O. O. F.,

by E. W. Staples, attorney.

VOLCANO LODGE NO. 92, I. O. G. T.,

by F. T. Stewart, attorney.

D. SMYTHE STEELE.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the thirty-first day of December, eighteen hundred and eighty-nine a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Charleston, this twenty-eighth day of April, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

THE FARMERS BANK OF FAIRMONT.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

For the purpose of organizing an association to carry on the business of banking under the act of the Legislature of West Virginia, entitled "An Act to provide for the incorporation of banks of discount and deposit," passed December 26th 1873, we the undersigned subscribers for the stock of the said association do enter into the following articles of association :

1st. The name and title of this association shall be "The Farmers Bank of Fairmont," and shall continue twenty years from the date of its organization certificate.

2nd. The place where its banking house or office shall be located and its operations of discount and deposit, carried on, and its general business conducted, shall be in the town of Fairmont, in Marion county, and State of West Virginia.

3rd. The capital stock of this association shall be thirty thousand dollars and shall be divided into shares of one hundred dollars each, and one tenth of same must be paid in before these articles are sent on to the Secretary of the State.

4th. The name and residence of each of the stockholders of this association with the number of shares subscribed by each are as follows :

J. C. Beeson, Fairmont, West Virginia, fifty shares ;
A. B. Fleming, Fairmont West Virginia, thirty shares ;
Wm. Ridgely, Fairmont, West Virginia, twenty-five shares ;
Thos. W. Fleming, Fairmont, West Virginia, twenty-five shares ;
J. N. Gould, Fairmont, West Virginia, twenty shares ;
Harry Fleming, Fairmont, West Virginia, fifty shares ;
Thomas F. Watson, Smithtown, West Virginia, fifty shares ;
Nathan Goff, Clarksburg fifty shares ;

Making in all subscribed thirty thousand dollars. But the capital may be increased according to the provisions of the said act, to any sum not exceeding one hundred thousand dollars.

5th. The Board of Directors shall consist of five (5) stock holders who shall be citizens and residents of this State, during their whole time of service, and each Director must own in his own right and title, at least one thousand dollars in the capital stock of this bank.

6th. The stock holders of this bank shall be personally liable to the creditors thereof, over and above the amount of stock held by them, respectively, to an amount equal to their respective shares held by them for all liabilities accruing while they are such stock holders.

7th. The regular annual election of directors shall be held on the first Monday in January, in each year, or at such other time as may be provided by law, but if no election shall be held that day, they may be held on any other day according to the provisions of the 17th section of the act. and all elections shall be held according to such regulations as may be prescribed by the Board of Directors of the association, not inconsistent with the provisions of the aforesaid act, and the Directors so elected shall hold their office for one year, unless sooner disqualified, and until their successors are elected and qualified.

8th. The Board of Director, a majority of whom shall be a quorum to do business, shall elect one of their number to be President of this association who shall hold his office, unless he shall become disqualified or be sooner removed by a two-third vote of all the members of the Board, for the term for which he was elected a Director, and they shall have power to elect a Vice-President, who shall also be a member of the Board of Directors, and to elect or appoint a Cashier and such other officers and clerks as may be required to transact the business of the association, to fix the salaries to be paid to them, and continue them in office or to dismiss them, as in the opinion of a majority of the Board the interest of the association may demand; they shall also have power to define the duties of the officers and clerks of the association, to require bond from them, and to fix the penalty thereof, to regulate the manner in which election of Directors shall be held, and to appoint judges of the election, to provide for an increase of the capital of the association, and to regulate the manner in which such increase shall be made, and generally to do and perform all the acts it may be legal for a Board of Directors to do under the act aforesaid, and they shall have power to make all by-laws that it may be proper and convenient for them to make under said act for the general regulation of the business of the association, and the entire management and administration of its affairs, which by-laws shall prohibit according to the 14th section of the act, the transfer of stock owned by any stock holder who may be liable in any way to the association, either as principal debtor or otherwise.

Witness our hands and seals this the 24th day of April, 1875.

THOMAS F. WATSON,	[SEAL]
WILLIAM RIDGELEY,	[SEAL]
JACOB N. GOULD,	[SEAL]
NATHAN GOFF,	[SEAL]
A. B. FLEMING,	[SEAL]
THOMAS W. FLEMING,	[SEAL]
J. C. BEESON,	[SEAL]
HARRISON FLEMING,	[SEAL]

Wherefore, The incorporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the thirtieth day of April, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this thirtieth day of April, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

ENTERPRISE SALT COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "Enterprise Salt Company," for the purpose of mining coal, manufacturing salt and keeping a store of general merchandise in connection therewith, which corporation shall keep its principal office or place of business at Burning Spring Furnace, in the county of Kanawha and State of West Virginia, and is to expire on the first of May, 1895.

And for the purpose of forming the said corporation we have subscribed the sum of thirty five hundred dollars (\$3,500) to the capital thereof, and have paid in on said subscription the sum of one thousand dollars (\$1,000) and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to fifty thousand dollars in all.

The capital so subscribed is divided into shares of fifty dollars (\$50) each, which are held by the undersigned respectively, that is to say: By

Wm. H. Tompkins, Kanawha Salines, W. Va., sixty-four shares.
D. L. Ruffner, Charleston, Kanawha county, W. Va., one share.
C. D. Reynolds, Charleston, Kanawha Co., W. Va., one share.
W. E. Truslow, Charleston, Kanawha Co., W. Va., two shares.

J. F. Hubbard, Kanawha Salines, W. Va., two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this fifteenth day of May, A. D., 1875.

WM. H. TOMPKINS,
C. D. REYNOLDS,
D. L. RUFFNER,
J. F. HUBBARD,
W. E. TRUSLOW.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of May, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this nineteenth day of May, eighteen hundred and seventy-five.

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G. S.
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C. HEDRICK,
Secretary of the State.

CAMDEN CONSOLIDATED OIL COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which Agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Camden Consolidated Oil Company," for the purpose of mining for and producing petroleum oils, refining, buying and selling petroleum oils and the products thereof, owning and operating refineries; transporting oil in tank cars and barges; manufacturing barrels; buying staves and heading, and doing a general merchandise business. Which corporation shall keep its principal office and place of business at the city of Parkersburg, County of Wood, and State of West Virginia, and to expire on the fifteenth day of May, A. D., 1895.

For the purpose of forming said corporation, we have subscribed the sum of two hundred thousand dollars, to the capital thereof, and have paid in on said subscription the sum of twenty thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to three hundred thousand dollars in all.

The capital so subscribed is divided into shares of fifty dollars each; which are held by the undersigned, respectively, as follows, that is to say:

Johnson N. Camden, Parkersburg, W. Va., thirteen hundred and thirty-four shares, (1334.)

William P. Thompson, Parkersburg, W. Va., thirteen hundred and thirty-two shares, (1332.)

William N. Chancellor, Parkersburg, W. Va., thirteen hundred and thirty-two shares, (1332.)

Lucius A. Cole, Parkersburg, W. Va., one share, (1.)

Bernard G. Wilson, Parkersburg, W. Va., one share, (1.)

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-first day of May, A. D., 1875.

J. N. CAMDEN,
W. P. THOMPSON,
W. N. CHANCELLOR,
LUCIUS A. COLE,
B. G. WILSON,

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the fifteenth day of May, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in the said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this twenty ninth day of May, 1875.

G. S.

C. HEDRICK,
Secretary of the State.

EXCELSIOR GLASS COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "Excelsior Glass Company," for the purpose of manufacturing within the States of West Virginia and Ohio, glass and glassware, in any and all of its forms, and selling the same, and making all the moulds and tools required for manufacturing glass and glassware, and packages for packing the same, and any and all articles to attach to glassware, when manufactured; and for the purpose of dealing in patents pertaining to the manufacturing of glass or glassware, in its various branches, and selling the rights to others, which corporation shall keep its principal office or place of business in the city of Wheeling, in the county of Ohio, and State of West Virginia, and is to expire on the first day of June, A. D., 1895.

And for the purpose of forming the said corporation, we have subscribed the sum of twenty-five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of two hundred and fifty dollars; and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to five hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say: by

Michael Sweeney, of Martin's Ferry, Ohio, five shares;
James McClung, of Wheeling, West Virginia, five shares;
Samuel P. Hildreth, of Wheeling, West Virginia, five shares;
John F. Miller, of Wheeling, West Virginia, five shares; and
James W. Shipman, of Martin's Ferry, Ohio, five shares.

And the capital hereafter to be sold is to be divided into shares of the like amount.

Given under our hands this first day of June, A. D., 1875.

M. SWEENEY,
J. McCLUNG,
SAMUEL P. HILDRETH,
JOHN F. MILLER,
JAMES W. SHIPMAN,

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of June, 1895, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this fourth day of June, 1875.

G. S.

C. HEDRICK.
Secretary of the State.

WETZEL CO-OPERATIVE COMPANY.

I, Charles Hedrick Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Wetzel Co-operative Company," for the purpose of conducting the business of general merchandizing, forwarding, and storing, which corporation shall keep its principal office or place of business at New Martinsville, Wetzel county, and is to expire on the first day of January, 1895.

And for the purpose of forming the said corporation, we have subscribed the sum of fifty dollars to the capital stock thereof, and have paid in on said subscription the sum of five dollars, and desire the privilege of increasing the capital stock by sales of additional shares, from time to time, to ten thousand dollars in all.

The capital so subscribed is divided into shares of ten dollars each, held by the undersigned as follows:

J. T. Blair, one share;
S. A. Fankhauser, one share;
Joseph Cox, one share;
J. A. Richardson, one share;
T. H. Snodgrass, one share;

All residents of the county of Wetzel. And the capital to be hereafter sold is divided into shares of like amount.

Given under our hands this 15th day of May, 1875.

JAMES T. BLAIR,
SAMUEL A. FANKHAUSER,
JOSEPH OOX,
THOS. H. SNODGRASS,
J. A. RICHARDSON.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this seventh day of June, eighteen hundred and seventy-five.

{
G. S.
}

C. HEDRICK,
Secretary of the State.

JEFFERSON COUNTY BUILDING ASSOCIATION NO. THREE.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Jefferson County Building Association No. 3," for the purpose of raising money to be used among the members of such corporation in buying lots and houses. or in building or repairing houses; which corporation, shall keep its principal office or place of business at Charleston, in the county of Jefferson, and is to expire on the first day of July, 1885.

And for the purpose of forming the said corporation we have subscribed the sum of thirteen hundred dollars to the capital stock thereof, and have paid in on said subscription the sum of one hundred and thirty dollars, and desire the privilege of increasing said capital by sales of additional shares, from time to time, to two hundred and sixty thousand dollars in all.

The capital so subscribed is divided into shares of two hundred and sixty dollars each, which are held by the undersigned as follows, that is to say, one share by each of the following named parties :

Wm. F. Lippitt, one share.

Henry H. Cooke, one share ;

John Porterfield, one share ;

Frank Beckwith, one share ;

Wm. H. Travers, one share.

All residents of Jefferson county, West Virginia.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this the 16th day of June, 1875.

W. F. LIPPITT.

H. H. COOKE.

JNO. PORTERFIELD.

FRANK BECKWITH.

WM. H. TRAVERS.

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of July, eighteen hundred and eighty-five, a Corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Charleston, this twenty-first day of June, eighteen hundred and seventy-five.

{
G. S.
}

C. HEDRICK,
Secretary of the State.

THE BANK OF HUNTINGTON.

I, Charles Hedrick, Secretary of State of the West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned hereby enter into articles of association and agree to become a corporation by the name of "The Bank of Huntington," for the purpose of carrying on the business of banking and of exer-

cising under the laws of the State of West Virginia all such incidental powers as shall be necessary to carry on said business, by discounting promissory notes, negotiating drafts, bills of exchange and other evidences of debt and indebtedness, by receiving deposits, buying and selling bank notes, bonds, bullion, coin and exchange, by loaning money, bank notes and currency on personal or other security, and by doing all things permitted and authorized to be done expressly, or by implication, from and under the provisions of chapter (215) two hundred and fifteen of the acts of the Legislature of West Virginia, passed at the eleventh session thereof in the years, A. D., 1872 and 1873, by a corporation organized under said chapter; and the said corporation shall be known in its dealings and business by the said name of "The Bank of Huntington," its term to be for twenty years, commencing on the seventh day of July, A. D., 1875, and terminating on the seventh day of July, 1895, on which day the corporation is to expire.

For the purpose of organizing said corporation we have subscribed the sum of twenty-five thousand dollars to the capital stock thereof, which is divided into two hundred and fifty shares of the value of one hundred dollars each, and we have paid in on said subscriptions the sum of twenty five hundred dollars. The said "bank" is to be located in the city of Huntington, county of Cabell and State of West Virginia. The capital stock is held by the undersigned as follows, respectively:

Jno. Hooe Russell, residing in the city of Huntington, W. Va., one hundred shares;

D. W. Emmons, same residence as Jno. Hooe Russell. twenty-five shares;

M. Erskine Miller, residing in Staunton, Augusta Co., Va., ninety-nine shares;

H. J. Samuels, Barboursville, Cabell Co., twenty-five shares;

Alex. E. Miller, residing in Staunton, Augusta Co., Va., one (1) share.

The maximum of additional shares which the undersigned may from time to time desire to sell is twenty-seven hundred and fifty shares, of the par value of one hundred dollars each.

We hereby severally declare each for ourselves that these articles of association are made to enable the undersigned to avail themselves of the advantages of the before recited act of the Legislature of 1872-3, chapter 215, passed December 26, 1873, by the Legislature of West Virginia.

In witness whereof we have hereto signed our names and affixed our respective seals this seventh day of July, A. D., 1875.

JOHN HOOE RUSSELL,	[SEAL.]
DELOS W. EMMONS,	[SEAL.]
M. ERSKINE MILLER,	[SEAL.]
H. J. SAMUELS,	[SEAL.]
ALEX. E. MILLER,	[SEAL.]

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the seventh day of July, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the Capitol, this eighth day of July, A. D., eighteen hundred and seventy-five.

{
G. S.
}

C. HEDRICK,
Secretary of the State.

WEST VIRGINIA AGRICULTURAL, STOCK BREEDING AND SALT MANUFACTURING ASSOCIATION.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "West Virginia Agricultural, Stock Breeding and Salt Manufacturing Association," for the purpose of breeding stock and the manufacture of salt in the State of Nebraska, and carrying on the same with such other business as naturally belongs to the successfully carrying on the same. Which corporation shall keep its principal place of business at the city of Parkersburg, county of Wood and State of West Virginia, and is to expire on the first day of July, 1895.

And for the purpose of forming the said Corporation we have subscribed the sum of seven hundred dollars to the capital thereof, with the understanding that the same is not to be withdrawn at any time before the expiration of the charter of said corporation or the regular dissolution of the same according to law; and have paid in on said subscriptions the sum of seventy dollars, with the understanding

that the same is not to be withdrawn at any time before the expiration of the charter, and we desire the privilege of increasing the said capital, by sales of additional shares, from time to time, to fifty thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say: By

W. H. McCoy, of Parkersburg, W. Va., one share;
 John H. McCoy, of Parkersburg, W. Va., one share;
 S. W. Evans, of Parkersburg, W. Va., one share;
 Geo. W. Talley, of Parkersburg, W. Va., one share;
 Benjamin Stout, of Parkersburg, W. Va., one share;
 Wm Busby, of Parkersburg, W. Va., one share;
 Jos. S. McCoy, of Parkersburg, W. Va., one share;

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands and seals this 8th day of July, 1875.

W. H. McCOY,	[SEAL.]
G. W. TALLEY,	[SEAL.]
S. W. EVANS,	[SEAL.]
J. S. McCOY,	[SEAL.]
WM. BUSBY,	[SEAL.]
BENJAMIN STOUT,	[SEAL.]

Wherefore, The Corporators named in the said Agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of July, eighteen hundred and ninety-five, a Corporation by the name and for the purpose set forth in said Agreement.

Given under my hand and the Great Seal of the said State, at the City of Wheeling, this tenth day of July, eighteen hundred and seventy-five.

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G. S.
}

C. HEDRICK,
 Secretary of the State.

SOUTHSIDE SALT COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of the "Southside Salt Company," for the purpose of farming and manufacturing salt, manufacturing barrels, selling dry-goods and groceries, and generally for the purpose of manufacturing any product that can be manufactured from coal, salt or other thing, and for buying and selling any manufactured or natural article of salt or commerce ; which corporation shall keep its principal office or place of business at Alden City, in the county of Kanawha, and is to expire on the 12th day of July, 1895.

And for the purpose of forming the said corporation, we have subscribed the sum of forty-five hundred (4,500) dollars to the capital thereof, and have paid in on said subscriptions the sum of forty-five hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of twenty-five (\$25) dollars each, which are held by the undersigned, respectively, as follows : that is to say,—

Otis A. Thayer, Kanawha county, W. Va, sixty shares ;
William T. Thayer, Charleston, W. Va., fifty-nine shares ;
Henry W. Reynolds, Charleston, W. Va., fifty-nine shares ;
Job E. Thayer, Charleston, W. Va., one share ;
William A. Quarrier, Charleston, W. Va., one share ;
Total, one hundred and eighty shares.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this twelfth day of July, 1875.

O. A. THAYER,
W. T. THAYER,
H. W. REYNOLDS,
J. E. THAYER,
WM. A. QUARRIER.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby de-

clared to be, from this date until the twelfth day of July, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the Capital, this twelfth day of July, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

KANAWHA AND OHIO TRANSPORTION COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a Corporation by the name of "Kanawha and Ohio Transportation Company," for the purpose of owning and navigating steam boats, and barges, in the business of towing and transportation on the Kanawha and Ohio rivers and their tributaries, which corporation shall keep its principal office or place of business at Cincinnati, in the county of Hamilton, and State of Ohio; and is to expire on the 26th day of July, A. D., 1895.

And for the purpose of forming the said corporation, we have subscribed the sum of twenty-nine thousand and five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of twenty-nine thousand and five hundred dollars; and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of five hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say: by

James H. Sentz, residing at Charleston, West Virginia, twenty two shares;

J. E. Lloyd, residing at Charleston, West Virginia, one share;

J. E. Dana, residing at Kanawha Salines, West Virginia, eight shares;

A. M. Putney, residing at Malden, West Virginia, one share;

S. F. Dana, residing at Cincinnati, Ohio, twenty-seven shares.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this twenty-sixth day of July, A. D., 1875.

JAMES H. SENTZ.

J. E. LLOYD.

J. E. DANA.

A. M. PUTNEY.

S. F. DANA.

Wherefore, The Corporators named in the said Agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twenty sixth day of July, eighteen hundred and ninety-five, a Corporation by the name and for the purpose set forth in said Agreement.

Given under my hand and the Great Seal of the said State, at the Capital, this sixth day of August eighteen hundred and seventy-five

G. S.

C. HEDRICK,
Secretary of the State.

OHIO RIVER FIRE BRICK COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of the "Ohio River Fire Brick Company," for the purpose of manufacturing, and buying and selling fire brick, tile and clay, which corporation shall keep its principal office at New Cumberland, in the county of Hancock, West Virginia, and is to expire on the first day of August, eighteen hundred and ninety five.

And for the purpose of forming the said corporation, we have subscribed the sum of one thousand nine hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred and ninety dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of twenty-five dollars each, which are held by the undersigned, respectively, as follows, that is to say : by

Alexander Manypenny, of Hancock county, West Va., seventeen shares;

John Porter, of Hancock county, West Va., sixteen shares;

B. J. Smith, of Hancock county, West Va., fifteen shares;

W. B. Freeman, of Jefferson county, Ohio, fourteen shares;

John Cunningham, of Hancock county, West Va., fourteen shares;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this second day of August, 1875.

ALEXANDER MANYPENNY,
JOHN PORTER,
B. J. SMITH,
W. B. FREEMAN,
JOHN CUNNINGHAM,

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of August, eighteen hundred and ninety-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the Capital, this sixth day of August, eighteen hundred and seventy-five.

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G. S.
}

C. HEDRICK,
Secretary of the State.

CHARLESTOWN GAS LIGHT COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Charlestown Gas Light Company," for the purpose of establishing Gas Works in the town of Charlestown, Jefferson county, West Virginia, for lighting said town with gas, and to lay pipes and other necessary fixtures and machinery in the streets and alleys of said town, and to hold such property as may be essential to the successful operation of said gas works in the manufacture of gas from coal, petroleum, and other substances for the use of said town and the citizens

thereof, and to manufacture such articles and materials, purchase and sell the same as may be necessary in the working of said gas light company, which corporation shall have its principal office or place of business at Charlestown, in the county of Jefferson, and is to expire on the first day of August, 1895.

And for the purpose of forming said corporation we have subscribed the sum of two hundred and fifty dollars to the capital thereof, and have paid in on said subscription the sum of twenty-five dollars, and desire the privilege of increasing the said capital to twenty-five thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, to-wit:

George W. T. Kearsley, five shares ;
Gustave Brown, five shares ;
Joseph Goldsmith, five shares ;
M. K. Lancaster, five shares ;
Joseph Trapnell, five shares.

All of whom reside in Charlestown, West Virginia.

And the capital stock to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 30th day of July, 1875.

GEORGE W. T. KEARSLEY,
GUSTAVE BROWN.
JOS. GOLDSMITH,
M. K. LANCASTER,
JOSEPH TRAPNELL.

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of August, eighteen hundred and ninety-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the Capital, this eleventh day of August, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

C. P. BROWN BOAT CLUB.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

We, the undersigned, agree to become a corporation by the name of "C. P. Brown Boat Club," for the purpose of owning boats, barges, boat-houses, and encouraging the competition of speed in boating. Which corporation shall keep its principal office or place of business in the city of Wheeling, Ohio county, West Virginia, and is to expire on the sixth day of August, eighteen hundred and ninety-five.

And for the purpose of forming the said corporation, we have subscribed the sum of one hundred and twenty-five dollars to the capital thereof, and have paid in on the same the sum of twenty-five dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to two thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows ; that is to say ;

Charles Miller, one share ;
James Barr, one share ;
John Henry Severing, one share ;
J. C. Adams, one share ; and T. W. Doyle, one share ; all of the city of Wheeling, Ohio county, W. Va.

And the capital hereafter to be sold is to be divided into shares of the like amount.

Given under our hands, this 6th day of August, A. D., 1875.

CHARLES MILLER,	[SEAL.]
J. C. ADAMS,	[SEAL.]
JAS. BARR,	[SEAL.]
T. W. DOYLE,	[SEAL.]
JOHN H. SEVERING,	[SEAL.]

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the sixth day of August. eighteen hundred and ninety-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Wheeling, this seventeenth day of August, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

THE PARKERSBURG FERRY COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Parkersburg Ferry Company," for the purpose of establishing, maintaining, operating and carrying on a ferry at Parkersburg, W. Va., across the Little Kanawha river, with boats propelled by steam or otherwise, and for erecting the necessary boat houses, wharf boats and other appendages, necessary and useful for carrying on the said business, which corporation shall keep its principal office or place of business at Parkersburg, in the county of Wood, and is to expire on the fifteenth day of August, 1895.

And for the purpose of forming the said corporation we have subscribed the sum of five hundred dollars and have paid in on said subscriptions the sum fifty dollars and desire the privilege of increasing the said capital by sales of additional shares from time to time to five thousand dollars.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows: that is to say,—

Wm. H. Alleman, one share.
Gilbert Matthews, one share.
H. D. Truman, one share.
Joseph Geering, one share.
Jno. W. Matthews, one share.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this sixteenth day of August, A. D., 1875.

WM. H. ALLEMAN,
GILBERT MATTHEWS,
H. D. TRUMAN,
JOSEPH GEERING,
J. W. MATTHEWS.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the the fifteenth day of August, eighteen hundred and ninety-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this nineteenth day of August, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

STROTHER TOWER COMPANY.

I. Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Strother Tower Company," for the purpose of building a tower and lookout on Warm Spring Mountain, near the town of Berkeley Springs, Morgan county, West Virginia, to be used as a place of resort, etc.; which corporation shall keep its office or place of business at Berkeley Springs, in the county of Morgan, and State aforesaid, and is to expire on the 25th day of August, 1895.

And for the purpose of forming said corporation, we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscription the sum of one hundred and forty dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to two thousand dollars.

The capital so subscribed is divided into shares of five dollars each, which are held by the undersigned, respectively as follows, that is to say:

George M. Gill, residence, Baltimore, Md., twenty shares.

John W. Wright, residence, Berkeley Springs, W. Va., twenty shares;

John D. Defrees, residence, Berkeley Springs, W. Va., twenty shares;

Henry Willard, residence, Berkeley Springs, W. Va., twenty shares;

J. Rufus Smith, residence, Berkeley Springs, W. Va., twenty shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under hands this sixteenth day of August, 1874.

Acknowledged, GEO M. GILL.

Acknowledged, J. W. WRIGHT.

Acknowledged, HENRY WILLARD.

Acknowledged, J. RUFUS SMITH.

Acknowledged, JNO. D. DEFREES.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby, declared to be, from this date until the twenty-fifth day of August, eighteen hundred and ninety five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this twenty-eighth day of August, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State,

THE CENTENNIAL COAL AND TIMBER COMPANY OF WEST VIRGINIA.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of 'The Centennial Coal and Timber Company of West Virginia,' for the purpose of holding real estate in Kanawha county, West Virginia,

and selling and disposing of the same, and for the purpose of mining, digging or otherwise obtaining from the earth iron ore and coal, and transporting and vending the same, and also for the purpose of cutting, sawing, vending and transporting lumber and manufacturing and disposing of the product thereof. The mining and other aforesaid operations of the said corporation are to be conducted and carried on upon the lands of the company in Kanawha county, in the State of West Virginia. The said corporation shall keep its office or principal place of business in the city of Charleston, of West Virginia, and also a branch office in the city of Pittsburgh, Pennsylvania, and the said corporation is to expire on the twenty-first day of August, Anno Domini, eighteen hundred and ninety-five.

For the purpose of forming the said corporation we have subscribed the sum of three hundred thousand dollars (\$300,000) to the capital thereof, and have paid in on said subscription the sum of thirty thousand dollars (\$30,000,) and desire the privilege of increasing said capital by sales of additional shares from time to time, to five hundred thousand dollars in all.

The capital so subscribed is divided into shares of the par value of five hundred dollars (\$500,) each, a part of which is held by the undersigned as follows, viz :

M. B. Reber, Columbus, Ohio, one hundred shares, fifty thousand dollars.

William Shrader, Elizabeth, Allegany county, Pennsylvania, fifty shares, twenty-five thousand dollars.

Samuel H. Warren, Elizabeth, Allegany county, Pennsylvania, fifty shares, twenty-five thousand dollars.

Josiah P. Johnson, Ellizabeth, Allegany county, Pennsylvania, fifty shares, twenty-five thousand dollars.

Joel Bedell, McRusport, Allegany county, Pennsylvania, fifty shares, twenty-five thousand dollars.

Andrew Bedell, McOlive, Allegany county, Pennsylvania, fifty shares, twenty-five thousand dollars.

John T. Harris, Columbus, Ohio, fifty shares, twenty-five thousand dollars.

William S. Dresback, Gronport, Ohio, fifty shares, twenty-five thousand dollars.

J. T. Daddow, Carbonvale, West Virginia, twenty-five shares twelve thousand and five hundred dollars.

David Luker, McKeesport, Allegany county, Pennsylvania, seventy-five shares, thirty-seven thousand five hundred dollars.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this twenty-first day of August, A. D., 1875.

M. B. REBER,	[SEAL]
JOHN T. HARRIS,	[SEAL]
WM. S. DRESBACK,	[SEAL]
CALVIN CARR,	[SEAL]
J. T. DADDOW,	[SEAL]
By their Att'y in fact,	[SEAL]
M. B. REBER.	[SEAL]
WILLIAM SHRADER,	[SEAL]
SAMUEL H. WARREN,	[SEAL]
J. P. JOHNSON,	[SEAL]
JOEL BEDELL,	[SEAL]
ANDREW BEDELL,	[SEAL]
DAVID LUKER.	[SEAL]

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twenty-first day of August, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Wheeling, this sixth day of September, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

THE MERCANTILE LIBRARY ASSOCIATION.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an Agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Mercantile Library Association" for the purpose of supplying to people entertainment and instruction by lectures and of offering popular and approved amusements of refining tendency or high

moral tone, and it is desired that said corporation shall be perpetual, which corporation shall keep its principal office or place of business at New Cumberland, in the county of Hancock.

And for the purpose of forming the said corporation we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscription the sum of fifty dollars and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to the sum of ten thousand dollars in all.

The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned, respectively as follows, that is to say :

Jasper M. Porter, New Cumberland, W. Va., two shares.

William Austin Scott, New Cumberland, W. Va., two shares.

John Porter, New Cumberland, W. Va., two shares.

Lewis R. Smith, New Cumberland, W. Va., two shares.

Henry C. Shepherd, New Cumberland, W. Va., two shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this eleventh day of September, A. D., 1875.

JASPER M. PORTER,
WM. A. SCOTT,
JOHN PORTER,
LEWIS R. SMITH,
HENRY C. SHEPHERD,

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date perpetually, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Wheeling, this sixteenth day of September, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

THE VIRGINIA SALT COMPANY.

1, Charles Hedrick, Secretary of the State of West Virginia, here

by certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Virginia Salt Company," for the purpose of manufacturing salt and transacting any and all business necessarily connected therewith or calculated to facilitate the same including the transportation to market and sale thereof, and keeping a store for the sale of merchandise. Which corporation shall keep its principal office or place of business at Clifton, in the County of Mason, and is to expire on the thirteenth day of September, 1895.

And for the purpose of forming the said corporation we have subscribed the sum of sixty five thousand dollars, to the capital thereof, and have paid in on said subscription the sum of sixty-five thousand dollars, and desire the privilege of increasing the said capital by the sales of additional shares, from time to time, to one hundred and fifty thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say :

Samuel A. M. Moore, of Pomeroy, Ohio, 70 shares ;
James W. McMunn, of Pomeroy, Ohio, 70 shares ;
George W. Plautz, of Pomeroy, Ohio, 115 shares ;
Hiram H. Swallow, of Clifton, W. Va., 94 shares ;
J. Newton Richards, of Clifton, W. Va., 1 share ;

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 13th day of September, 1875.

S. A. M. MOORE,	[SEAL.]
J. W. McMUNN,	[SEAL.]
GEO. W. PLAUTZ,	[SEAL.]
H. H. SWALLOW,	[SEAL.]
J. N. RICHARDS,	[SEAL.]

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the thirteenth day of September eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Wheeling, this sixteenth day of September, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

QUAKER CITY SALT COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Quaker City Salt Company," for the purpose of manufacturing and selling salt, in the county of Mason, in the State of West Virginia; which corporation shall keep its principal office or place of business at the city of Philadelphia, in the State of Pennsylvania, and is to expire on the eighteenth day of September, A. D., eighteen hundred and ninety-five.

And for the purpose of forming the said corporation we have subscribed the sum of twenty-thousand dollars to the capital thereof, and have paid in on said subscriptions the full sum of twenty thousand dollars.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say: by

Walter M. Sprankle, thirty-three and one-third shares;
Edwin C. Weaver, thirty-three and one-third shares;
John W. Moffly, sixty-six and two-third shares;
Edward H. Graham, thirty-three and one-third shares; and
James Wetzger, thirty-three and one-third shares.

All of the city of Philadelphia, and State of Pennsylvania.

Given under our hands and seals this eighteenth day of September, eighteen hundred and seventy-five.

WALTER M. SPRANKLE,	[SEAL.]
EDWIN C. WEAVER,	[SEAL.]
JOHN W. MOFFLY,	[SEAL.]
E. H. GRAHAM,	[SEAL.]
JAMES WETZGER,	[SEAL.]

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the eighteenth day of September, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this twenty-third day of September, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

BELLEVUE IRON AND STEEL WORKS.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following.

The undersigned agree to become a corporation by the name of Bellvue Iron and Steel Works," for the purpose of smelting and manufacturing iron and steel, rolling plate, sheet bar, guide and hoop iron and steel, and the general work pertaining to a smelting furnace and rolling mill; also mining and shipping iron ore, coal and other minerals, to work in wood and manufacture the same into cars, wagons and other implements and uses made of wood and iron; also to sell, barter and exchange provisions, dry-goods and groceries; which corporation shall keep its principal office or place of business at the Works at Spring Hill, Kanawha county, West Virginia, and is to expire on the first day of September, 1895.

And for the purpose of forming said corporation, we have subscribed the sum of one hundred thousand dollars (\$100,000), and paid in the sum of ten thousand dollars, and desire the privilege of increasing the said capital stock to five hundred thousand dollars (\$500,000) in all.

The one hundred thousand dollars is divided into shares of one hundred dollars (\$100) each; which are held by the undersigned, respectively, as follows: that is to say,—

By Job Cummins, of Greenup county, Kentucky, three hundred and fifty (350) shares;

By John Downing, of Pittsburg, Pennsylvania, three hundred (300) shares;

By Joseph Blackshaw, of Pittsburg, Pennsylvania, three hundred (300) shares;

By Richard Cobbs of Kanawha county, West Virginia, twenty-five (25) shares; and

By James F. Hansford and James E. Middleton, of Kanawha county West Virginia, twenty-five (25) shares, conjointly.

And the capital to be hereafter sold to be divided into shares of like amount.

Given under our hands and seals this first day of September, 1875

JOB CUMMINS,	[SEAL]
JOHN DOWNING,	[SEAL]
JOSEPH BLACKSHAW,	[SEAL]
RICHARD COBBS,	[SEAL]
JAMES F. HANSFORD	} [SEAL]
and	
JAMES E. MIDDLETON	
For Hansford & Middleton.	

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of September, eighteen hundred and ninety-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my my hand and the great seal of the said State, at the city of Wheeling, this twenty-ninth day of September, eighteen hundred and seventy-five.

{
G. S.
}

C. HEDRICK,
Secretary of the State.

CHARLESTON WHARF BOAT COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "Charleston Wharf Boat Company," for the purpose of carrying on

the wharfing business, transferring and hauling freight and other articles by drays, wagons and other vehicles, and merchandising and dealing in dry goods, groceries, produce and all other articles of trade; which corporation shall keep its principal office or place of business at Charleston, Kanawha county, West Virginia, and is to expire on the 25th day of September, 1895.

And for the purpose of forming the said corporation, we have subscribed the sum of eight thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of eight thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to fifty thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say :

By W. Ira Oakes,	52 shares ;
By M. J. Bell,	13 shares ;
By G. W. H. Bell, Jr.	13 shares,
By Cornelius Calvert,	1 share ;
By Ebenezer Oakes,	1 share ;

Total, 80

All of Kanawha county, West Virginia.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 25th day of September, 1875.

W. IRA OAKES,
M. J. BELL,
G. W. H. BELL, JR.,
CORNELIUS CALVERT,
E. OAKES.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the twenty-fifth day of September, eighteen hundred and ninety-five, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this thirteenth day of September, eighteen hundred and seventy five.

G. S.

C. HEDRICK,
Secretary of the State.

MASON CITY SALT AND COAL COMPANY.

I. Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a Corporation by the name of "The Mason City Salt and Coal Company," for the purpose of manufacturing salt and of mining coal, which corporation shall keep its principal office or place of business at Mason City, in the county of Mason, and State of West Virginia, and is to expire on the first day of October, A. D., eighteen hundred and ninety-five.

And for the purpose of forming said corporation we have subscribed the sum of one hundred and sixty thousand dollars to the capital thereof and have paid in on said subscriptions the sum of one hundred and sixty thousand dollars, and desire the privilege of increasing said capital by sales of additional shares, from time to time, to two hundred thousand dollars in all.

The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned, respectively, as follows, that is to say:

Guernsey G. Roots, residing at Cincinnati, Ohio, 1,592 shares.

James P. Kilbreth, residing at Cincinnati, Ohio, 1,592 shares.

Albert E. Smith, residing at Cincinnati, Ohio, 4 shares.

James R. Murdoch, residing at Cincinnati, Ohio, 4 shares.

Nathaniel H. McLean, residing at Cincinnati, Ohio, 4 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hand this first day of October, eighteen hundred and seventy-five.

GUERNSEY G. ROOTS,	[SEAL.]
JAS. P. KILBRETH,	[SEAL.]
ALBERT E. SMITH,	[SEAL.]
JAMES R. MURDOCH,	[SEAL.]
NATHANIEL H. McLEAN,	[SEAL.]

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of October, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this ninth day of October, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

THE LA BELL BUILDING ASSOCIATION OF WHEELING, WEST VIRGINIA.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The La Bell Building Association of Wheeling, West Virginia," for the purpose of raising money to be loaned among the members of such corporation for use in buying lots or houses, or in building or repairing houses; which corporation shall keep its principal office or place of business in Wheeling, in the county of Ohio, and State of West Virginia, and is to expire on the 9th day of October, 1895.

And for the purpose of forming said corporation, we have subscribed the sum of seven hundred and fifty dollars to the capital thereof, and have paid in on said subscription, the sum of seventy-five dollars, and desire the privilege of increasing the said capital, by sales of additional shares, from time to time, to six hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred and fifty dollars each, which are held by the undersigned, respectively, as follows, that is to say: by

Geo. P. Lynch, one share;
Wm. C. Handlan, one share;
H. C. Ulrich, one share;
Abraham Harris, one share;
Chr. Honecker, one share.
All of the city of Wheeling.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this 9th day of October, 1875.

GEO. P. LYNCH.

WM. C. HANDLAN.

H. C. ULRICH.

ABRAHAM HARRIS.

CHRISTIAN HONECKER.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby to be, from this date until the ninth day of October, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this twelfth day of October, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

HARPERS FERRY FLOUR MILL AND MANUFACTURING COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an Agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which Agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Harpers Ferry Flour Mill and Manufacturing Company," for the purpose of manufacturing flour and other manufactures; which corporation shall keep its principal office or place of business, at Harpers Ferry in the county of Jefferson, State of West Virginia, and is to expire on the first day of October, 1895.

And for the purpose of forming the said corporation we have subscribed the sum of five hundred dollars to the capital stock thereof, and have paid in on the said subscriptions, the sum of fifty dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to two hundred thousand dollars.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively as follows, that is to say: by

H: R. Riddle, of the city of Baltimore, Maryland, one share;

S. V. Yantis, of Jefferson county, W. Va., one share ;
J. C. Child, of Jefferson county, W. Va., one share ;
J. A. McCreight, of Jefferson county, W. Va., one share ;
W. H. Travers, of Jefferson county, W. Va., one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given unter our hands this the 1st day of October, 1875.

H. R. RIDDLE,
S. V. YANTIS,
J. C. CHILD,
JNO. A. McCREIGHT,
WM. H. TRAVERS.

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of October, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Wheeling, this fifteenth day of October, eighteen hundred and seventy-five.

{
G. S.
}

C. HEDRICK,
Secretary of the State.

THE MASON CITY SALT AND MINING COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The Mason City Salt and Mining Company," for the purpose of mining coal and other minerals, and of manufacturing salt and bromine and other chemicals, and for the sale of goods and merchandise on the premises ; which corporation shall keep its principal office or place of business at Mason City, in the county of Mason, and in the State of West Virginia, and is to expire on the fifth day of October, A. D., eighteen hundred and ninety-five, (1895.)

And for the purpose of forming said corporation, we have subscribed the sum of one hundred and sixty thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred and sixty thousand dollars, and desire the privilege of increasing said capital by sales of additional shares, from time to time; to two hundred thousand dollars in all.

The capital so subscribed is divided into shares of fifty dollars each, which are held by the undersigned, respectively, as follows, that is to say :

Guernsey Y. Roots, residing at Cincinnati, Ohio, fifteen hundred and ninety-two shares ;

James P. Kilbreth, residing at Cincinnati, Ohio, fifteen hundred and ninety-two shares ;

Albert E. Smith, residing at Cincinnati, Ohio, four shares ;

James R. Murdock, residing at Cincinnati, Ohio, four shares ;

Nathaniel H. McLean, residing at Cincinnati, Ohio, four shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twelfth day of October, A. D., eighteen hundred and seventy-five.

GUERNSEY Y. ROOTS,	[SEAL.]
JAMES P. KILBRETH,	[SEAL.]
ALBERT E. SMITH,	[SEAL.]
JAMES R. MURDOCK,	[SEAL.]
NATHANIEL H. McLEAN,	[SEAL.]

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the fifth day of October, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this eighteenth day of October, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

BUCKEYE INSURANCE COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of the "Buckeye Insurance Company," for the purpose of carrying on the business of fire insurance ; which corporation shall keep its principal office or place of business at Wheeling, Ohio county, West Virginia, and is to expire on the first day of August, A. D., eighteen hundred and ninety-five.

And for the purpose of forming the said corporation, we have subscribed the sum of one hundred thousand dollars to the capital thereof, and have paid in on said subscription the sum of ten thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to five hundred thousand dollars in all.

The capital so subscribed is divided into shares of five hundred dollars each ; which are held by the undersigned, respectively as follows :

No. Shares.	Names.	Residence.	Amount of Stock.
200	Charles Miller,	Toledo, Ohio,	\$20,000
200	C. W. Winters,	Toledo, Ohio,	20,000
200	M. Smith,	Toledo, Ohio,	20,000
200	S. T. Parks,	Lima, Ohio,	20,000
200	P. W. Nucan,	Lima. Ohio,	20,000

And the capital to be hereafter sold is to be divided into shares of like amount, one hundred dollars each.

Given under our hands this first day of August, A. D., 1875.

CHARLES MILLER,
C. W. WINTERS,
M. SMITH,
S. T. PARKS,
P. W. NUCAN.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of August, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Wheeling, this twenty-second day of October, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

GLOBE OIL COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of the "Globe Oil Company," for the purpose of producing, mining, purchasing and selling petroleum oils and their products; which said corporation shall keep its principal office or place of business at the city of Parkersburg, Wood county, State of West Virginia, and is to expire on the eighteenth day of October, A. D., 1895.

And for the purpose of forming the said corporation we have subscribed the sum of five thousand dollars to the capital thereof and have paid in on said subscription the sum of five hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one hundred and fifty thousand dollars in all.

The capital stock so subscribed is divided into shares of fifty dollars each, which are held by the undersigned respectively as follows :

John A. Steel, Parkersburg, Wood county, West Virginia, 2 shares.

Robert T. Skeimer, Parkersburg, Wood county, W. Va. 10 shares.

Samuel T. Steel, Volcano, Wood county, West Virginia, 2 shares.

James Smoot, Volcano, Wood county, West Virginia, 2 shares.

Seymore Woodard, Petroleum, Ritchie Co., West Virginia, 2 shares.

David E. Steel, Foxburg, Clarion county, Pennsylvania, 82 shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this eighteenth day of October, 1875.

JOHN P. STEEL,
R. T. KEIMER,
SAMUEL T. STEEL,
JAMES SMOOT,
S. WOODARD,
DAVID E. STEEL.

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the eighteenth day of October, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Wheeling this twenty-second day of October, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

WHITAKER IRON COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Whitaker Iron Company," for the purpose of smelting iron ores, and manufacturing rails and spikes for railroads, nails, sheetiron, hoop, rod and bar iron, galvanized iron, and the manufacture of rolled iron generally; which corporation shall keep its principal office or place of business at the city of Wheeling in the county of Ohio, and is to expire on the first day of October, eighteen hundred and ninety-five.

And for the purpose of forming said corporation we have subscribed the sum of one hundred and twenty-five thousand dollars to the capital thereof, and have paid in on said subscriptions the full sum of one hundred and twenty five thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to five hundred thousand dollars in all.

The capital so subscribed is divided into one thousand two hundred and fifty shares of one hundred dollars (\$100) each, which are held by the undersigned, respectively, as follows: that is to say,—

By George P. Whitaker of Cecil county, Maryland, two hundred and fifty shares (250).

By Mrs. Carrie Cordon, of Cecil county Maryland, two hundred and fifty (250) shares;

By Edmund S. Whitaker, of Cecil county, Maryland, two hundred and fifty (250) shares.

By Cecil N. Whitaker, of Cecil county, Maryland, two hundred and fifty (250) shares.

By Nelson E. Whitaker, of the city of Wheeling, West Virginia, two hundred and fifty (250) shares.

And the capital hereafter to be sold to be divided into shares of like amount.

Given under our hands this first day of October, eighteen hundred and seventy-five.

G. P. WHITAKER,
CARRIE CORDON,
EDMUND S. WHITAKER.
CECIL N. WHITAKER,
NELSON E. WHITAKER,

Wherefore, The Corporators named in the said Agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of October, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Wheeling, this twenty-eighth day of October eighteen hundred and seventy-five.

{
G. S.
}

C. HEDRICK.
Secretary of the State.

PATRONS MERCHANDISE AND AGRICULTURAL STORE OF BOBTOWN.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "Patrons Merchandise and Agricultural Store of Bobtown," for the purpose of carrying on a general merchandise and produce business in the town of Bobtown, county of Marion, State of West Virginia, and for the purpose of acquiring real estate sufficient for houses and store-rooms for such business; which corporation shall keep its office or place of business at Bobtown, in the county of Marion, and is to expire on the twenty-fifth day of October, eighteen hundred and ninety-five.

And for the purpose of forming the said corporation, we have subscribed the sum of eleven hundred and forty dollars to the capital thereof, and have paid in on said subscriptions the sum of one hundred and fourteen dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to ten thousand dollars in all.

The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned, respectively, as follows, that is to say: by

James T. Morris, twenty shares.

B. K. Martin, twenty shares.

G. W. Mauley, thirty shares.

Robert Lowe, twenty shares.

Harrison Mauley, twenty shares.

Davies Fleming, two shares.

J. M. Burmage, two shares.

All residents of the county of Marion, and State of West Virginia.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-ninth day of October, A. D., 1875.

B. K. MARTIN,
JAMES T. MORRIS,
GEORGE W. MAULEY,
ROBERT LOWE,
HARRISON MAULEY,
DAVIES FLEMING,
J. M. BURMAGE,

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twenty-fifth day of October, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Wheeling, this first day of November, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

MERCHANTS' BOARD OF TRADE OF THE TOWN OF MARTINSBURG, WEST VIRGINIA.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Merchants' Board of Trade of the Town of Martinsburg, West Virginia," for the purpose of promoting the interests of trade by every legal and honorable means, to promote and protect the mutual interests of its members by a prudent and confidential interchange of opinions concerning all matters directly pertaining to trade, and especially of establishing a fair discrimination between the honest patron and the non-paying purchaser.

The said Board of Trade shall keep its principal office or place of business at Martinsburg, in the county of Berkeley, and is to expire on the 1st day of November, 1895.

And for the purpose of founding the said corporation, we have subscribed the sum of two hundred and twenty dollars to the capital thereof and have paid in on said subscription the sum of twenty-two dollars, and desire the privilege of increasing said capital by sales of additional shares from time to time, to two thousand dollars.

The capital so subscribed is divided into shares, of twenty dollars each, which are held by the undersigned as follows, that is to say: by

G. W. Degrane, one share, Martinsburg, W. Va.

C. Guan, one share, Martinsburg, W. Va.

F. Gerling, one share, Martinsburg, W. Va.

Benjamin Fiery, one share, Martinsburg, W. Va.

Frank Emert, one share, Martinsburg, W. Va.

Fred Spilman, one share, Martinsburg, W. Va.

C. M. Shaffer, one share, Martinsburg, W. Va.

J. W. Bishop, one share, Martinsburg, W. Va.

Hugh Frazer, one share, Martinsburg, W. Va.

Julius Fleischman, one share, Martinsburg, W. Va.

J. H. Shaffer, one share, Martinsburg, W. Va.

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 21st day of October, 1875.

J. H. SHAFFER,
F. SILLUNS,
F. EMERT,
B. F. FIERY,
J. FLEISCHMAN,
C. M. SHAFFER,
H. A. FRAZER,
J. W. BISHOP,
G. W. DE GRAUGE.
C. GUAND,
F. GERLING.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of November, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this fifteenth day of November, eighteen hundred and seventy-five.

{
G. S.
}

C. HEDRICK,
Secretary of the State.

THE WEST VIRGINIA AGRICULTURAL WORKS.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The West Virginia Agricultural Works," for the purpose of manufacturing and selling farm implements; which corporation shall keep its place of business at Moundsville, in the county of Marshall, and is to expire on the first day of November, 1895.

And for the purpose of forming said corporation, we have subscribed the sum of fifteen thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of fifteen hundred dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one hundred and fifty thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively, as follows, that is to say: by

R. H. Gee, of Moundsville, thirty shares;
 E. C. Thomas, of Moundsville, forty shares;
 J. D. Ewing, of Moundsville, ten shares;
 Wylie Arnold, of Moundsville, ten shares;
 John Jefferson, of Moundsville, ten shares;
 B. W. Price, of Moundsville, three shares;
 Jacob T. Cox, of Moundsville, three shares;
 John Nixon, of Bosby's Rock, five shares;
 R. G. Rosenbarger, of Wolf Run, five shares;
 Henry B. Yoho, of Woodlands, Marshall county, ten shares;
 S. R. Hanen, of Moundsville, five shares;
 H. D. Whipple, of Moundsville, ten shares;
 Joseph Harris, of Moundsville, five shares;
 J. C. Roberts, of Moundsville, four shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this first day of November, 1875.

RICHARD H. GEE,
 E. C. THOMAS,
 J. D. EWING,
 WYLIE ARNOLD,
 B. W. PRICE,
 JOHN JEFFERSON,
 JACOB T. COX,
 JOHN NIXON,
 R. G. ROSENBARGER,
 HENRY B. YOH0,
 S. R. HANEN,
 H. D. WHIPPLE,
 JOSEPH HARRIS,
 J. C. ROBERTS.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of November, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this twenty-third day of November, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

THE FARMERS' BANK OF PHILIPPI.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Farmer's Bank of Philippi," for the purpose of carrying on the business of banking in all its various branches, buying and selling gold and silver, bonds, bills of exchange, commercial papers, and other evidences of debt, loaning money upon real or personal security, receiving money upon transient and special deposit, to issue certificates of loans and deposits for money deposited, and to pay interest on the same, and generally to carry on such business as is usually carried on by a bank of discount and deposit; which corporation shall keep its principal office or place of business at Philippi, in the county of Barbour, and is to expire on the sixteenth day of November, eighteen hundred and ninety-five.

And for the purpose of forming the said corporation we have subscribed the sum of twenty-eight thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of two thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares from time to time, to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned, respectively as follows, that is to say: By

Joseph N. B. Crim, of Elk City, Barbour county, West Virginia, twenty-five shares.

Joseph E. Hall, of Elk City, Barbour county, West Virginia, five shares.

John F. Woodford, of Barbour county, West Virginia, ten shares.

Anthony T. Daniels, of Elk City, Barbour county, West Virginia, three shares.

Abraham M. Talbott, of Barbour county, West Virginia, twenty shares.

James M. Woodford, of Barbour county, West Virginia, five shares.

Jacob W. Robinson, of Barbour county, West Virginia, one share.

Richard T. Talbott, of Barbour county, West Virginia, five shares.

John W. Carder, of Barbour county, West Virginia, three shares.

David D. Campbell, of Philippi, Barbour county, West Virginia, two shares.

Isaac V. Johnson, of Philippi, Barbour county, West Virginia, three shares.

Perry Marteney, of Barbour county, West Virginia, one share.

Augustus B. Modisett, of Barbour county, West Virginia, thirty shares.

Benjamin H. Woodford, of Barbour county, West Virginia, one share.

Isaac H. Strickler, of Philippi, Barbour county, West Virginia, twenty shares.

Elam D. Talbott, of Philippi, Barbour county, West Virginia, five shares.

Lair D. Morrall, of Philippi, Barbour county, West Virginia, five shares.

William W. Carder, of Philippi, Barbour county, West Virginia, one share.

John W. Bosworth, of Philippi, Barbour county, West Virginia, three shares.

R. M. Talbott, of Georgetown, Barbour county, West Virginia, three shares.

James E. Heatherby, of Barbour county, West Virginia, five shares.

William S. Elliott, of Meadowville, Barbour county, West Virginia, two shares.

Luther C. Elliott, of Meadowville, Barbour county, West Virginia, two shares.

Andrew J. Gall, of Barbour county, West Virginia, ten shares.

Burton M. Gall, of Barbour county, West Virginia, ten shares.

Simon Ward, of Barbour county, West Virginia, ten shares.

A. J. Ward, of Barbour county, West Virginia, fifty shares.

James Knotts, of Meadowville, Barbour county, West Virginia, two shares.

Lewis Wilson, of Philippi, Barbour county, West Virginia, three shares.

Job. H. Glasscock, of Philippi, Barbour county, West Virginia, five shares.

Hamilton G. Bartlett, of Barbour county, West Virginia, one share.

Chester W. Pronelfoot, of Barbour county, West Virginia, ten shares.

E. G. Bartlett, of Barbour county, West Virginia, one share.

Jas. W. Talbott, of Philippi, Barbour county, West Virginia, ten shares.

B. B. Bartlett, of Barbour county, West Virginia, one share.

C. C. Honatter, of Philippi, Barbour county, West Virginia, one share.

P. B. Lake, of Barbour county, West Virginia, six shares.

And the capital to be hereafter sold is to be divided into shares of the like amount.

This agreement is formed for the purpose of enabling us to avail ourselves of the advantages of an act passed December 26, 1873, by the Legislature of West Virginia, entitled, "An act to provide for the incorporation of banks of discount and deposit."

Given under our hands and seals this seventeenth day of November, A. D., eighteen hundred and seventy-five.

J. N. B. CRIM,	[SEAL.]	R. M. TALBOTT,	[SEAL.]
JAS. E. HALL,	[SEAL.]	J. E. HEATHERBY,	[SEAL.]
J. F. WOODFORD,	[SEAL.]	W. S. ELLIOTT,	[SEAL.]
A. T. DANIELS,	[SEAL.]	L. C. ELLIOTT,	[SEAL.]
A. M. TALBOTT,	[SEAL.]	A. J. GALL,	[SEAL.]
J. M. WOODFORD,	[SEAL.]	B. M. GALL,	[SEAL.]
J. W. ROBINSON,	[SEAL.]	SIMON WARD,	[SEAL.]
R. T. TALBOTT,	[SEAL.]	A. J. WARD,	[SEAL.]
J. W. CARDER,	[SEAL.]	JAMES KNOTTS,	[SEAL.]
D. D. CAMPBELL,	[SEAL.]	LEWIS WILSON,	[SEAL.]
ISAAC V. JOHNSON,	[SEAL.]	JOB H. GLASSCOCK,	[SEAL.]
PERRY MARTENEY,	[SEAL.]	H. J. BARTLETT,	[SEAL.]
A. B. MODISSETT,	[SEAL.]	C. W. PRONELFORT,	[SEAL.]
B. H. WOODFORD,	[SEAL.]	E. G. BARTLETT,	[SEAL.]
J. H. STRICKLER,	[SEAL.]	B. B. BARTLETT,	[SEAL.]
E. D. TALBOTT,	[SEAL.]	J. W. TALBOTT,	[SEAL.]
L. D. MORRALL,	[SEAL.]	C. C. HONATTER,	[SEAL.]
W. W. CARDER,	[SEAL.]	P. B. LAKE,	[SEAL.]
JOHN W. BOSWORTH,	[SEAL.]		

Wherefore, the corporators named in the said agreement, and who

have signed the same, and their successors and assigns, are hereby declared to be, from this date until the sixteenth day of November, eighteen hundred and ninety-five a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the City of Wheeling, this twenty-sixth day of November, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

JEFFERSON COUNTY GRANGE STORE.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Jefferson County Grange Store," for the purpose of conducting a general mercantile business, which corporation shall keep its principal office or place of business at Duffields, in the county of Jefferson, and is to expire on the first day of January, 1895.

And for the purpose of forming said corporation, we have subscribed the sum of one hundred and seventy dollars to the capital thereof, and have paid in on the said subscriptions the sum of one hundred and seventy dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to five thousand dollars in all.

The capital so subscribed is divided into shares of ten dollars each, which are held by the undersigned, respectively, as follows: that is to say, by

Moses W. Burr, near Duffields, four shares;
Jno. H. Strider, near Halltown, two shares;
E. L. Wager, near Charlestown, one share;
Isaac H. Strider, near Leetown, five shares;
C. T. Butler, near Shepherdstown, five shares;

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 13th day of November, 1875.

C. T. BUTLER,
JOHN H. STRIDER,
ISAAC H. STRIDER,
MOSES W. RURR,
E. LOE WAGER.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the first day of January, eighteen hundred and ninety five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this thirteenth day of November eighteen hundred and seventy-five.

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G. S.
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C. HEDRICK,
Secretary of the State.

THE LA BELLE IRON WORKS.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of "The La Belle Iron Works," for the purpose of manufacturing and dealing in iron and nails ; which corporation shall keep its principal office or place of business at the city of Wheeling, in the county of Ohio, in the State of West Virginia, and is to expire on the twenty-seventh day of November, in the year eighteen hundred and ninety-five.

And for the purpose of forming the said corporation we have subscribed the sum of four hundred thousand dollars to the capital thereof, and have paid in on said subscriptions the sum of four hundred thousand dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to five hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say : by

Stimpson H. Woodward, five hundred and thirty shares ;

Henry Wallace, as administrator of the estate of Holsten Harden, deceased, five hundred and thirty shares ;

Calvin B. Doty, five hundred and thirty shares ;

Henry Wallace, in his own right, five hundred and thirty shares ;

David Spaulding, three hundred and fifty-four shares ;

John McClinton, three hundred and fifty-four shares ;

Henry Wallace, as administrator of the estate of Robert S. Irwin, deceased, one hundred and seventy-seven shares ;

John Wright, one hundred and ninety-three shares ;

Thomas Harris, Jr., as administrator of the estate of Andrew Glass, deceased, one hundred and thirty shares ;

William Dean, one hundred and twenty-one shares ;

Noah P. Remick, one hundred and twenty-one shares ;

William R. E. Elliott, eighty-eight shares ;

Isaac Freese, eighty-eight shares ;

William Linch, seventy-seven shares ;

Mary B. Bailey, in her own right, fifty-nine shares ;

Mary B. Bailey, as guardian of Martha Jane Bailey, twenty-nine shares ;

William Bailey, thirty shares ;

Charles E. Bailey, thirty shares ; and

Samuel M. Bailey, twenty-nine shares.

Of whom, the said Calvin B. Doty, David Spaulding, John McClinton and William R. E. Elliott, reside at Steubenville, in the State of Ohio ; William Dean, in Jefferson county, in the State of Ohio ; and all the others at the said city of Wheeling.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this twenty-seventh day of November, in the year eighteen hundred and seventy-five.

STIMPSON H. WOODWARD,
HENRY WALLACE,

Administrator of the estate of
Holston Harden, deceased.

CALVIN B. DOTY,
HENRY WALLACE,
DAVID SPAULDING,
JOHN McCLINTON,
HENRY WALLACE,

Administrator of the estate of
Robert S. Irwin, deceased.

JOHN WRIGHT,
THOMAS HARRIS, JR.,

Administrator of the estate of
Andrew Glass, deceased.

WILLIAM DEAN,
NOAH P. REMICK,
WILLIAM R. E. ELLIOTT,
ISAAC FREESE,
WILLIAM LINCH,
MARY B. BAILEY,

As guardian for Martha J. Bailey.

CHARLES E. BAILEY,
MARY B. BAILEY,
SAMUEL M. BAILEY,
WILLIAM BAILEY.

Wherefore, The Corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twenty-seventh day of November, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this third day of December, eighteen hundred and seventy-five.

C. HEDRICK,
Secretary of the State.

G. S.

STATE BANK OF WEST VIRGINIA.

I, Charles Hedrick, Secretary of the State of West Virginia hereby certify that an Agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which Agreement is in the words and figures following :

The undersigned do hereby enter into articles of association as hereinafter set forth for the purpose and object of carrying on the business of receiving deposits, discounting commercial and other paper, lending money, buying and selling securities, gold and silver, collecting and remitting exchange, drafts and bills ; and carrying on a general banking business, and all business that legitimately appertains thereto, intending by these articles to form a company for the purpose of carrying on the business of banking as provided for in chapter 215 of the "Acts of the Legislature of West Virginia at its eleventh session, 1872-3."

First. The name assumed by such company and by which it shall be known in its dealings, is the "State Bank of West Virginia ;" and the time in which it will expire is twenty years.

Second. The capital stock of such company is one hundred thousand dollars ; and the number of shares into which the same is divided is one thousand, and the amount paid in by the subscribers is one hundred thousand dollars.

Third. The name of the place where the said bank is to be located is the city of Charleston, county of Kanawha.

Fourth. The names and places of residence, and the number of shares held by each member of the company are as follows :

Josiah C. Arnold, Lennox, Massachusetts, ninety-five shares ;

Fred F. Brooks, Baltimore, Maryland, thirty shares ;

James H. Miller, Gauley Bridge, Fayette co., W. Va., twenty-five shares ;

Elijah Rooke, Kanawha Salines, Kanawha county, W. Va., twenty shares ;

John Claypool, Charleston, Kanawha county, W. Va., one hundred and five shares ;

John P. Hale, Charleston, Kanawha county, W. Va., one hundred and fifty shares ;

Edward B. Knight, Charleston, Kanawha county, W. Va., fifty shares ;

William A. Quarrier, Charleston, Kanawha county, W. Va., seventy-five shares ;

Ellen N. Rand, Charleston, Kanawha county, W. Va., fifty shares;
 Enos S. Arnold, Charleston, Kanawha county, W. Va., ten shares;
 Henry W. Reynolds, Charleston, Kanawha county, W. Va., one hundred shares;

Isaac N. Smith, Charleston, Kanawha county, W. Va., ninety shares;

William T. Thayer, Charleston, Kanawha county, W. Va., one hundred and fifty shares;

William E. Truslow, Charleston, Kanawha county, W. Va., forty shares;

All of the above parties and in the same proportion in which they hold shares as above, these being paid up from joint funds, ten shares.

And the maximum of additional shares which the company may desire to sell is one thousand of one hundred dollars each.

Fifth. The undersigned do hereby declare that these articles are made to enable them to avail themselves of the advantages of the act of the Legislature of West Virginia, passed December twenty-sixth, in the year 1873, and entitled, "An act to provide for the incorporation of banks of discount and deposit."

Witness the following signatures and seals, this 17th day of November, in the year 1875.

J. C. ARNOLD,	[SEAL.]
by E. S. Arnold, attorney.	
FRED. F. BROOKS,	[SEAL.]
JAMES H. MILLER,	[SEAL.]
E. ROOKE,	[SEAL.]
JOHN CLAYPOOL,	[SEAL.]
J. P. HALE,	[SEAL.]
EDWARD B. KNIGHT,	[SEAL.]
WM. A. QUARRIER,	[SEAL.]
E. S. ARNOLD,	[SEAL.]
ELLEN N. RAND,	[SEAL.]
H. W. REYNOLDS,	[SEAL.]
ISAAC N. SMITH,	[SEAL.]
W. T. THAYER,	[SEAL.]
W. E. TRUSLOW,	[SEAL.]

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the seventeenth day of November, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Wheeling, this seventh day of December, eighteen hundred and seventy-five.

G. S.

C. HEDRICK,
Secretary of the State.

A. ROLF BOAT CLUB.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a corporation by the name of the "A. Rolf Boat Club," for the purpose of exercise and promotion of health, for which purpose the said corporation will build such a boat house and purchase such boats and other materials and furniture, as are usually kept by a first-class boat club. The said corporation shall keep its principal office, place of business or amusement in the city of Wheeling, in Ohio county, West Virginia, and is to expire on the 19th day of January, 1896.

And for the purpose of forming the said corporation, we have subscribed the sum of twenty-five dollars to the capital stock thereof, and have paid on the said subscription the sum of twenty-five dollars and desire the privilege of increasing the said capital to five thousand dollars in all.

The capital so subscribed is divided into shares of five dollars each, which are held by the undersigned, respectively, as follows: that is to say—

August Rolt, one share ;
Joseph Evil, one share ;
Jacob Nunge, one share ;
Henry Bieberson, one share ; and
William Gibson, one share.
All of the city of Wheeling aforesaid.

And the capital to be hereafter sold is to be divided into like shares of like amount.

Given under our hands this 19th day of January, A. D. 1876.

AUGUST ROLF,
HENRY BIEBERSON,
JACOB NUNGE,
JOSEPH EVIL,
WILLIAM GIBSON.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the nineteenth day of January, eighteen hundred and ninety six, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this twentieth day of January, eighteen hundred and seventy-six.

G. S.

C. HEDRICK,
Secretary of the State.

PIONEER BARREL COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of the "Pioneer Barrel Company," for the purpose of purchasing saw-logs and hoop-poles, and for sawing and cutting barrel staves and heading, and for manufacturing barrels and vending the same, and in connection with said manufactory to sell dry goods and groceries, and generally for the purpose of doing everything necessary and proper for the successful carrying on of said business; which corporation shall keep its principal office or place of business at Charleston, in the county of Kanawha, and is to expire on the eighteenth day of January, 1896.

And for the purpose of forming the said corporation, we have subscribed the sum of five hundred dollars to the capital thereof, and have paid in on said subscriptions the sum of fifty dollars, and desire the privilege of increasing the said capital by sales of additional shares, from time to time, to one hundred thousand dollars in all.

The capital so subscribed is divided into shares of one hundred dollars each, which are held by the undersigned respectively, as follows, that is to say :

Benjamin F. Wyatt, of Amandaville, one share ;
Philip W. Morgan, of Charleston, one share ;
J. P. Thomas, of Charleston, one share ;
D. T. Farley, of Charleston, one share ;
Silas Morgan, of Charleston, one share.

And the capital to be hereafter sold is to be divided into shares of the like amount.

Given under our hands this nineteenth day of January, 1876.

BENJAMIN F. WYATT,
PHILIP W. MORGAN,
J. P. THOMAS,
D. T. FARLEY,
SILAS MORGAN.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the eighteenth day of January, eighteen hundred and ninety-six, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this twenty-sixth day of January, eighteen hundred and seventy-six.

G. S.

C. HEDRICK,
Secretary of the State.

THE BERKELEY MANUFACTURING COMPANY.

I, Charles Hedrick, Secretary of the State of West Virginia hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me ; which agreement is in the words and figures following :

The undersigned agree to become a corporation to be known by the name of "The Berkeley Manufacturing Company," for the purpose of manufacturing and selling all kinds of material for the construction of houses and buildings, for erecting by contract, buildings of every

character; for the manufacture of cabinet work, and that of all kinds of agricultural implements. The said corporation shall keep its principal office and place of business at Martinsburg, in the county of Berkeley, and State of West Virginia, and its charter shall expire by limitation, on the twentieth day of January, in the year eighteen hundred and ninety-six.

And for the purpose of forming the said corporation, we have subscribed the sum of three hundred dollars, (\$300.00) to the capital thereof, and have paid in on said subscription the sum of thirty dollars; and we desire the privilege of increasing the capital of the said corporation to the sum of one hundred thousand dollars, or more, by sales, from time to time, of additional shares.

The capital already subscribed is divided into shares of twenty-five dollars each, which are held by the undersigned, respectively, that is to say : by

J. Q. A. Nadenbousch, two shares—\$50.00 ;
N. D. Baker, two shares—\$50.00 ;
C. M. Shaffer, two shares—\$50.00 ;
A. J. Thomas, two shares—\$50.00 ;
Wm. Wilson, two shares—\$50.00 ;
E. C. Williams, Jr., two shares—\$50.00.

All of the undersigned being residents of the county of Berkeley, in West Virginia.

It is also, understood and declared, that the additional capital hereafter to be raised, shall be divided into shares of twenty-five dollars.

Given under our hands this twenty-fifth day of January, 1876.

J. Q. A. NADENBOUSCH,
N. D. BAKER,
C. M. SHAFFER,
A. J. THOMAS,
WM. WILSON,
E. C. WILLIAMS, JR.

Wherefore, The corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date until the twentieth day of January, eighteen hundred and ninety-six, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this twenty-seventh day of January, eighteen hundred and seventy-six.

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G.S.
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C. HEDRICK,
Secretary of the State.

THE PAN-HANDLE AGRICULTURAL SOCIETY OF WEST VIRGINIA.

I, Charles Hedrick, Secretary of the State of West Virginia, hereby certify that an agreement duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me; which agreement is in the words and figures following:

The undersigned agree to become a corporation by the name of "The Pan-Handle Agricultural Society of West Virginia," for the purpose of promoting the agricultural and mechanical interest of the county of Brooke and the adjacent regions, which corporation shall keep its principal office or place of business at Wellsburg, in the county of Brooke, and is to expire on the first day of February, 1895.

And for the purpose of forming the said corporation, we have subscribed the sum of two hundred and fifty dollars, and have paid in on said subscription the sum of twenty-five hundred dollars, and desire the privilege of increasing the said capital stock by sales of additional shares, from time to time, to ten thousand dollars in all.

The capital so subscribed is divided into shares of twenty-five dollars each, which are held by the undersigned, respectively as follows: that is to say—

W. C. Barclay, Wellsburg, W. Va., one share,	\$25 00
Jno. M. Cooper, Wellsburg, W. Va., one share,	25 00
D. W. Stier, Wellsburg, W. Va., one share,	25 00
Jno. L. Lewis, Jr., Wellsburg, W. Va., two shares,	50 00
Jno. R. McElroy, Wellsburg, W. Va., two shares,	50 00
Samuel George, Wellsburg, W. Va., two shares,	50 00
Thos. M. Lloyd, Wellsburg, W. Va., one share,	25 00

And the capital to be hereafter sold is to be divided into shares of like amount.

Given under our hands this 2d day of February, 1876.

W. C. BARCLAY,
THOS. M. LLOYD,
D. W. STEIR,
S. GEORGE.
J. M. COOPER,
JOHN LEWIS, JR.,
J. R. McELROY.

Wherefore, the corporators named in the said agreement, and who have signed the same, and their successors and assigns, are hereby declared to be, from this date, until the first day of February, eighteen hundred and ninety-five, a corporation by the name and for the purpose set forth in said agreement.

Given under my hand and the Great Seal of the said State, at the city of Wheeling, this third day of February eighteen hundred and seventy-six.

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G. S.
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C. HEDRICK,
Secretary of the State.

GUYANDOTTE INSURANCE COMPANY OF HUNTINGTON, WEST VIRGINIA—CHANGED TO THE GRANGE FIRE INSURANCE COMPANY OF HUNTINGTON, WEST VIRGINIA.

Declaration of change of name of "The Guyandotte Insurance Company of Huntington West Virginia" to "The Grange Fire Insurance Company of Huntington West Virginia."

I. Charles Hedrick, Secretary of the State of West Virginia, hereby certify that Robert T. Harvey, President of "The Guyandotte Insurance Company of Huntington, West Virginia," a corporation formed under the laws of said State, has, in the manner prescribed by said laws, certified to me that at a general meeting of the stockholders of the said corporation, held at their office in the city of Huntington, in said State, on the 17th day of December, 1874, the following resolution was adopted :

Resolved, That the name of "The Guyandotte Insurance Company of Huntington, West Virginia," on and after the first day of January, 1875, be changed to and that thereafter be known by the name of and as "The Grange Fire Insurance Company of Huntington, West Virginia."

Wherefore, I do hereby declare the proposed change of name authorized, and that the said corporation is to be on and after the first day of January, 1875, known by the name of "The Grange Fire Insurance Company of Huntington, West Virginia."

Given under my hand and the great seal of the said State, at the city of Charleston, this twenty-third day of December, eighteen hundred and seventy-four.

C. HEDRICK,
Secretary of State.

ACME MOWER COMPANY—DISSOLUTION.

I, Edmond Hobbs, Sr., President of the Acme Mower Company, hereby certify to the Secretary of the State of West Virginia, that the following resolution was adopted by said company at a general meeting of the stockholders thereof, held at their office in the city of Wheeling, West Virginia, the 8th day of April, 1874—and that a majority of the capital stock was represented at said meeting and voted in favor of such discontinuance.

RESOLUTION.

Resolved, That we discontinue the business of the corporation known as the Acme Mower Company, and that the Directory with the Secretary be a committee to pay off all the debts and liabilities, and close up the business of the company.

Given under my hand and the common seal of the said Acme Mower Company, this 10th day of August, 1874.

EDMOND HOBBS, SR.,
President.

A copy teste :

C. HEDRICK,
Secretary State.

STATE INSURANCE COMPANY OF PARKERSBURG,
WEST VIRGINIA.—DISSOLUTION.

At a meeting of the stockholders of the State Insurance Company of Parkersburg, West Virginia, held on the 7th day of September, 1874, a majority of the stock being represented, it was

Resolved, "That the Directors of this Company take immediate steps to wind up the business of the Company, according to law."

I hereby certify that the foregoing is a true copy of a resolution adopted at a general meeting of the stockholders of the "State Insurance Company of Parkersburg, West Virginia," held at the office of said Company in the City of Parkersburg, Wood county, West Virginia, on the 7th day of September, 1874.

Witness my hand and the seal of said Company, this 14th day of January, 1875.



(Signed.)

JOHN V. RATHBONE,
President.

A copy teste:

C. HEDRICK,
Secretary of State.

NOTICE OF DISSOLUTION OF STANDARD LUBRICATING OIL WORKS.

At a general meeting of the stockholders of the Standard Lubricating Oil Works, held at the office of said corporation, in the city of Parkersburg, West Va., on the seventeenth day of January, 1876. All of the capital stock of said corporation being represented, it was unanimously

Resolved, That the business of this corporation be and the same is hereby discontinued; and that this corporation be and the same is hereby dissolved by mutual consent.

Which resolution was unanimously adopted.

In testimony whereof the said corporation has caused these presents to be attested by its assistant president (acting as president) and

the common seal of the corporation this seventeenth day of January, 1876.

SEAL.

A. W. COX,
Assistant President,

A copy teste :

C. HEDRICK,
Secretary of State.

NOTICE OF DISSOLUTION OF THE SISTERSVILLE WOOLEN MANUFACTORY COMPANY.

A general meeting of the stockholders of the Sistersville Woollen Manufactory Company was held at their office in Sistersville, West Virginia, this day, all the stock being represented and voted upon, therefore I send you this notice.

J. WHERRY.

Resolved, That we discontinue the business of the corporation of the Sistersville Woollen Manufactory Company, which resolution was unanimously adopted."

SISTERSVILLE, W. VA., Jan. 19th, 1876.

SEAL.

J. WHERRY,
President.

A copy teste :

C. HEDRICK,
Secretary of State.

LIST OF COMMISSIONERS

in other States, appointed by the Executive of West Virginia, from the first day of January, 1873, to the thirty-first day of December, 1874, inclusive, with the residence and date of appointment of each Commissioner; also the date when evidence of qualification was filed. The term of Commissioners is for three years.

STATES.	Names of Commissioners.	Residence.	Date of Appointment.	When evidence of qualification filed.
Pennsylvania	James Starr.....	Philadelphia.....	January 9, 1873..	January 20, 1873..
Ohio.....	William H. Lette	Ironton	" 16, "	.....
New York.....	George W. Browne.....	New York City....	February 7, "	March 4, "
Pennsylvania.....	Samuel B. Huey.....	Philadelphia.....	" 14, "	" 4, "
Connecticut.....	Edward Goodman.....	Hartford City.....	" 18, "	.....
Massachusetts.....	Edward J. Jones.....	Boston.....	" 18, "	March 28, "
New York.....	Marvin J. Merchant ...	New York City,...	" 26, "	" 31, "
Massachusetts.....	Charles B. F. Adams...	Boston.....	March 6, "	April 2, "
New York.....	Edward Bissell.....	New York City....	" 10, "	March 28, "
Ohio.....	Samuel S. Carpenter...	Cincinnati.....	" 12, "	" 26, "
Maryland.....	Mark Alexander.....	Baltimore.....	" 25, "	.....
New York.....	Andrew W. Kent.....	New York City....	" 26, "	May 5, "
Louisiana.....	Alfred Ingraham.....	New Orleans.....	April 3, "	" 3, "
New York.....	Wm. Edwin Osborn.....	Brooklyn.....	" 7, "	" 9, "
Missouri.....	William McPherson.....	St. Louis.....	May 16, "	June 17, "
Maryland.....	Hermon L. Emmons...	Baltimore.....	" 16, "	May 24, "
New York.....	George R. Jaques.....	New York City....	" 16, "	June 13, "
Ohio.....	Howard Douglas.....	Cincinnati.....	" 16, "	.....
New York.....	Horace Andrews.....	New York City....	" 16, "	May 31, "
Pennsylvania.....	Henry Reed.....	Philadelphia.....	" 16, "	" 31, "
Connecticut.....	Henry E. Tainter.....	Hartford.....	" 16, "	.....
Virginia.....	William L. Bent.....	Winchester	" 17, "	.....
Tennessee.....	B. F. Murphy.....	Memphis.....	" 20, "	.....
California.....	William Hoskins.....	Oakland City.....	" 22, "	June 18, "
Maryland.....	William B. Hill.....	Baltimore.....	" 23, "	" 7, "

LIST OF COMMISSIONERS—Continued.

New York.....	Rufus K. McHary.....	New York City....	May	24, 1873	May	31, 1873
New York.....	Charles W. Anderson..	New York City....	"	31, "	July	15, "
New York.....	Alexander Ostrander..	New York City....	June	7, "	June	31, "
Virginia.....	William H. Terrell. ...	Warm Springs.....	May	27, "	"	11, "
New York.....	Charles Edgar Mills ...	New York City....	June	19, "	"	25, "
Maryland.....	Henry R. Delaney.....	Baltimore.....	July	23, "	October	7, "
New York.....	Joseph B. Nones.....	New York City....	"	24, "	August	8, "
Pennsylvania.....	William F. Robb.....	Pittsburgh.....	August	22, "	Septem.	10, "
New York.....	William F. Lett.....	New York City....	"	22, "	"	3, "
Connecticut.....	Wm. Edgar Simonds...	Hartford.....	"	22, "	.....	.....
Massachusetts.....	James B. Bell.....	Boston.....	October	13, "	October	31, "
New York.....	Jacob DuBois.....	New York City....	"	17, "	November	1, "
Pennsylvania.....	Charles Chauncey.....	Philadelphia.....	November	1, "	"	18, "
New York.....	Henry C. Banks	New York City....	"	26, "	Decemb'r	15, "
Illinois.....	Simoon W. King.....	Chicago	"	26, "	"	13, "
Pennsylvania.....	Henry Phillips, Jr.....	Philadelphia.....	"	26, "	"	13, "
Maryland.....	A. Hunter Boyd.....	Cumberland.....	December	3, "	"	12, "
New York.....	Harold A. Bayley.....	New York City....	"	5, "	"	16, "
New York.....	J. Spencer Smith.....	New York City....	"	30, "	May	13, 1874..
Maryland.....	Henry Brock.....	Baltimore.....	January	6, 1874..	January	30, "
Illinois.....	Phillip A. Hoyne.....	Chicago	"	10, "	"	31, "
District Columbia..	C. C. Tompkins.....	Washington City..	"	16, "	.....	.....
New York.....	George W. Collis.....	New York City....	February	5, "	March	11, "
New York.....	Charles Nettleton.....	New York City....	"	6, "	February	23, "
New York.....	M. F. Donley.....	New York City....	"	13, "	.....	.....
New York.....	James Taylor.....	New York City....	"	23, "	March	16, "
Pennsylvania.....	H. E. Hindmarsh.....	Philadelphia.....	"	23, "	"	7, "
New York.....	Frederick Anderson....	New York City....	March	4, "	"	13, "
California.....	N. Proctor Smith.....	San Francisco	"	4, "	"	26, "
New York.....	Charles H. Smith, Jr..	New York City....	"	6, "	.....	.....
New York.....	Cruger W. Smith.....	New York City....	April	3, "	April	27, "
District Columbia..	Joseph T. K. Plant....	Washington City..	"	3, "	"	17, "
Pennsylvania.....	Kimley J. Tener	Philadelphia.....	"	15, "	"	30, "
New York.....	George T. Smith.....	New York City....	"	27, "	.....	.....
New York.....	Charles H. Smith.....	New York City....	May	7, "	May	14, "
Illinois.....	Charles Knoblesdorff..	Chicago	"	12, "	June	5, "
Pennsylvania.....	Joseph Frankish.....	Philadelphia.....	"	15, "	May	20, "
New York.....	Thomas D. Clifford....	New York City....	"	19, "	June	1, "
Connecticut	Edward Goodman	Hartford.....	"	21, "	"	6, "

LIST OF COMMISSIONERS—*Continued.*

Pennsylvania	Theodore D. Rand	Philadelphia.....	May	21, 1874	June	30, 1874
Pennsylvania	Joseph S. Prot.	Philadelphia.....	"	23, "	"	5, "
Pennsylvania	John Russell.....	Philadelphia.....	June	1, "	"	9, "
New York.....	John Bissell	New York City....	"	23, "	July	10, "
Pennsylvania	Charles H. Howell.....	Philadelphia	July	20, "	"	23, "
Pennsylvania	Samuel L. Taylor.....	Philadelphia.....	"	20, "	"	23, "
New York.....	S. B. Goodale.....	New York City....	"	20, "	August	12, "
Connecticut.....	M. Frank Tyler.....	New Haven.....	"	30, "	.....	.....
New York.....	Thomas Kilbert.....	New York City....	August	15, "	September 4,	"
Pennsylvania	J. Paul Diver.....	Philadelphia.....	September 4,	"	.....	.....
Rhode Island.....	Christopher Rhodes....	Providence.....	"	5, "	.....	.....
New York.....	John A. Hillery	New York City....	"	10, "	Septem.	23, "
Pennsylvania	John Sparhawk.....	Philadelphia.....	"	15, "	"	23, "
Missouri.....	C. D. Green.....	St. Louis.....	October	17, "	October	24, "
Pennsylvania	Edward Shippen.....	Philadelphia.....	"	24, "	Novem.	16, "
New York.....	John J. DuBois.....	New York City....	Novem.	10, "	"	27, "
Pennsylvania	Elwood Mattock	Philadelphia.....	"	11, "	Decemb'r	3, "
California.....	Edward Chatten.....	San Francisco.....	"	16, "	February 13,	1875
Maryland.....	William W. Latimer...	Baltimore.....	"	19, "	Novem.	25, 1874
Pennsylvania	J. H. Wheeler	Philadelphia.....	December 3,	"	Decem,	19, "

TERMS OF CIRCUIT COURTS.



FIRST JUDICIAL CIRCUIT—THAYER MELVIN, JUDGE.

Counties.	Commencement of Terms.
Brooke.....	Second Monday in March and second Monday in September.
Hancock.....	First Monday in March and first Monday in September.
Ohio	Third Monday in April and third Monday in October.
Marshall.....	Fourth Monday in March and fourth Monday in September.

SECOND JUDICIAL CIRCUIT—C. S. LEWIS, JUDGE.

Counties.	Commencement of Terms.
Doddridge.....	Fifteenth day of May and fifteenth day of November.
Harrison.....	Thirtieth day of May and thirtieth day of November.
Marion.....	Eighteenth day of April and eighteenth day of October.
Monongalia	Fifteenth day of March and fifteenth day of September.
Taylor.....	First day of March and first day of September.
Wetzel.....	Fifth day of April and fifth day of October.

THIRD JUDICIAL CIRCUIT—JNO. BLAIR HOGE, JUDGE.

Counties.	Commencement of Terms.
Berkeley.....	Second Tuesday in May and fourth Tuesday in November.
Jefferson.....	Fourth Tuesday in March and third Tuesday in October.
Morgan	First Tuesday in May and fourth Tuesday in September.

FOURTH JUDICIAL CIRCUIT—J. D. ARMSTRONG, JUDGE.

Counties.	Commencement of Terms.
Grant.....	Third Tuesday in March and third Tuesday in September.
Hardy.....	First Tuesday in March and first Tuesday in September.
Mineral.....	Second Tuesday in May and second Tuesday in November.
Pendleton.....	First Tuesday in April and first Tuesday in October.
Hampshire.....	Third Tuesday in April and third Tuesday in October.

FIFTH JUDICIAL CIRCUIT—JAMES M. JACKSON, JUDGE.

Counties.	Commencement of Terms.
Calhoun.....	Third Monday in May and first Monday in October.
Pleasants.....	First Monday in April and third Monday in November.
Ritchie.....	Fourth Monday in April and third Monday in October.
Tyler.....	Tuesday after the second Monday in April, and Tuesday after the first Monday in November.
Wirt.....	Tuesday after the first Monday in May, and Tuesday after the second Monday in October.
Wood.....	First Monday in June and first Monday in December.

SIXTH JUDICIAL CIRCUIT—JOHN BRANNON, JUDGE.

Counties.	Commencement of Terms.
Barbour.....	Ninth day of May and the ninth day of November.
Gilmer.....	Eleventh day of March and eleventh day of September.
Lewis.....	First day of March and first day of September.
Preston.....	Seventh day of April and seventh day of October.
Randolph.....	Twenty-third day of April and twenty-third day of October.
Tucker.....	Second day of May and second day of November.
Upshur.....	Twenty-second day of March and twenty-second day of November.
Webster.....	Twenty-sixth day of May and twenty-sixth day of September.

SEVENTH JUDICIAL CIRCUIT—JOSEPH SMITH, JUDGE.

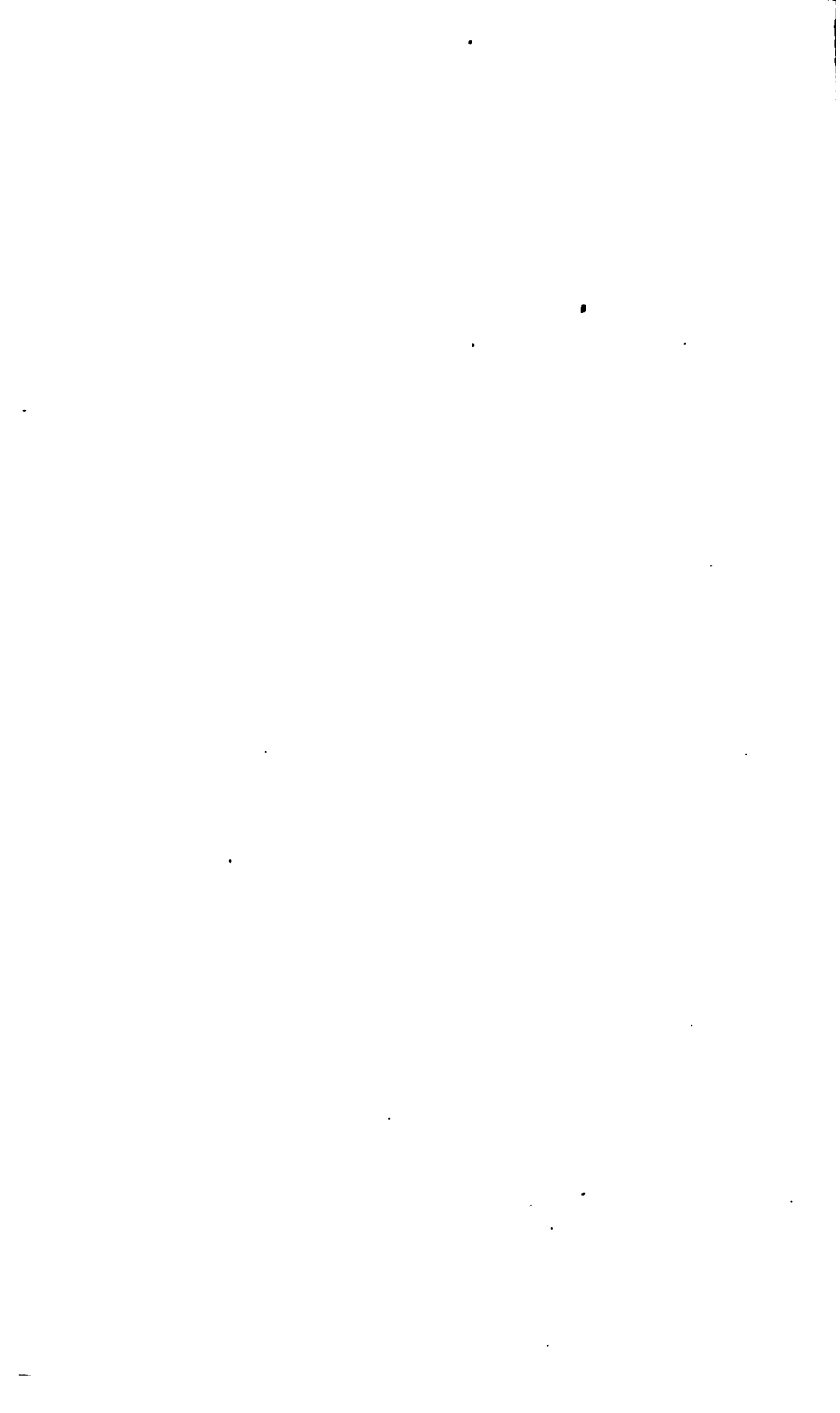
Counties.	Commencement of Terms.
Jackson.....	Third Monday in March and third Monday in September.
Kanawha.....	Second Monday in May and first Monday in November.
Mason.....	First Monday in April and first Monday in October.
Putnam.....	Fourth Monday in April and fourth Monday in October.
Roane.....	First Monday in March and first Monday in September.

EIGHTH JUDICIAL CIRCUIT—HOMER A. HOLT, JUDGE.

Counties.	Commencement of Terms.
Braxton.....	Eighteenth day of March and eighteenth day of August.
Clay.....	Twelfth day of March and twelfth day of August.
Fayette.....	Twenty-eighth day of March and twenty-eighth day of August.
Greenbrier.....	Twenty-fifth day of May and twenty-fifth day of October.
Nicholas.....	Fourth day of March and fourth day of August.
Pocahontas.....	First day of May and first day of October.
Monroe.....	Tenth day of May and tenth day of October.
Summers.....	Eighth day of April and eighth day of September.

NINTH JUDICIAL CIRCUIT—EVERMONT WARD, JUDGE.

Counties.	Commencement of Terms.
Boone.....	Fourth Monday in May and fourth Monday in November.
Cabell.....	First Monday in March and first Monday in September.
Lincoln.....	First Monday in June and first Monday in December.
Logan.....	Second Monday in April and second Monday in October.
Mercer.....	First Monday in May and first Monday in November.
McDowell.....	Fourth Monday in April and fourth Monday in October.
Raleigh.....	Third Monday in May and third Monday in November.
Wayne.....	Fourth Monday in March and fourth Monday in September.
Wyoming.....	Third Monday in April and third Monday in October.



ERRATA.

- Page 80, in title of chapter 54, read "An act to amend and re-enact," etc.
- Page 87, section 27, line 1, chapter 54, read "before making out his land book," etc.
- Page 87, section 26, line 14, chapter 54, for "derived" read "devised."
- Page 93, section 42, line 1, for "revuired," read "required."
- Page 95, section 47, line 8, for "services," read "service."
- Page 107, section 68, line 23, chapter 54, after the word "buggies," read "coaches."
"hacks," "wagons," "carts," drays."
- Page 117, section 99, line 11, for "court," read "courts."
- Page 117, section 103, line 2, for "aepealed," read "repealed."
- Page 204, chapter 114, section 1, line 1, for "chapter fifty-two," read "chapter
forty-two."

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